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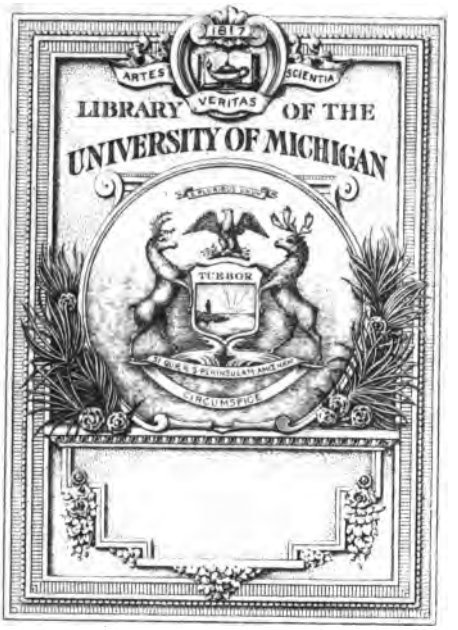
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Vermont. General assembly. Senate

THE

JOURNAL OF THE SENATE

OF THE

STATE OF VERMONT.

BIENNIAL SESSION, 1880.

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JOURNAL OF THE SENATE.

WEDNESDAY, OCTOBER 6TH, 1880.

Pursuant to the provisions of the Constitution and Laws of the State of Vermont, the Senate convened in the State House, at Montpelier, on the first Wednesday, being the sixth day of October, in the year of our Lord one thousand eight hundred and eighty.

At ten o'clock in the forenoon the Senate was called to order by His Honor Eben P. Colton, the President.

Devotional exercises were conducted by Rev. Lewis B. Hubbard of Ludlow, the Chaplain.

The roll of the Senate was called; whereupon it appeared that the following named Senators were present, and they were duly sworn by the President, and severally subscribed the oath of office:

Addison County.....	EDWARD S. DANA.....	New Haven.
	JULIUS N. NORTH.....	Shoreham.
Bennington County...	GILBERT M. SYKES.....	Dorset.
	CHARLES THATCHER.....	Bennington.
Caledonia County.....	JONATHAN R. DARLING...	Groton.
	ELIJAH D. BLODGETT.....	St. Johnsb'ry.
Chittenden County....	ASHER C. ROBINSON.....	Westford.
	CHARLES W. WOODHOUSE.	Burlington.
	WALTER A. WEED.....	Shelburne.
Essex County.....	HARVEY JUDEVINE.....	Concord.
Franklin County.....	HENRY R. START.....	Bakersfield.
	ARTHUR W. WOODWORTH.	Enosburgh.
	ALFRED G. SAFFORD.....	St. Albans.
Grand Isle County....	ELISHA R. GOODSELL.....	Isle La Motte.
Lamoille County.....	PHILIP K. GLEED.....	Morristown.
Orange County.....	MARCUS PECK.....	Brookfield.
	SAMUEL M. GLEASON.....	Thetford.
Orleans County.....	ELISHA LANE.....	Derby.
	JAMES BROWN.....	Lowell.
Rutland County.....	WALTER C. DUNTON.....	Rutland.
	ROYAL D. KING.....	Benson.
	OREL COOK.....	Mendon.
	EMMETT R. PEMBER.....	Wells.
Washington County...	WILLIAM P. DILLINGHAM.	Waterbury.
	ALBERT DWINELL.....	Calais.

Windham County.....	LEVI K. FULLER.....	Brattleboro.
	JABEZ D. BRIDGMAN.....	Rockingham.
Windsor County.....	ORA PAUL.....	Pomfret.
	FRED. G. FIELD.....	Springfield.
	HUGH HENRY.....	Chester.

Mr. Blodgett offered the following resolution, which was read and adopted:

Resolved, That the Senate be governed by the Senate rules of the session of 1878 until others are adopted.

Mr. Bridgman introduced the following joint resolution, which was read and adopted on the part of the Senate:

Resolved by the Senate and House of Representatives, That the joint rules of the session of 1878 be the joint rules of this session until others are adopted.

Mr. Field offered the following resolution, which was read:

Resolved, That the Secretary be directed to furnish each Senator and officer of the Senate with one daily newspaper, printed in the State, such newspaper to be selected by said Senators and officers.

Mr. Dana moved to amend the resolution by striking out the word "one" before "daily," and insert in lieu thereof the word *two*, and also insert after the word "daily" the words, *and one weekly;*

Pending the adoption of which Mr. Cook moved to amend the amendment by striking out the words "one weekly," which was accepted.

And the question being on the adoption of the amendment as amended, the same was disagreed to;

Thereupon the resolution was adopted.

On motion of Mr. Cook the Senate proceeded to the election of Secretary, Assistant Secretary and Chaplain.

And on motion of Mr. Dillingham, no other nomination being made for Secretary,

CHAUNCEY W. BROWNELL, JR.,

of Burlington was unanimously elected by a *viva voce* vote, under a suspension of the rules. He presented himself at the bar of the Senate and received the oath of office.

The Senate then proceeded to the election of Assistant Secretary.

The President appointed as tellers Senators Dillingham and Bridgman.

The ballots having been taken and examined for Assistant Secretary, it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Assistant Secretary.

The President appointed as tellers Senators Paul and Stort.

The ballots having been taken and examined for Assistant Secretary, it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Assistant Secretary.

The President appointed as tellers Senators Henry and Gleason.

The ballots having been taken and examined for Assistant Secretary, it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Assistant Secretary.

The President appointed as tellers Senators Woodhouse and Goodsell.

The ballots having been taken and examined for Assistant Secretary, it appeared that

FRANK A. DWINELL

of Plainfield, having received a majority of all the votes cast, was elected, and he presented himself at the bar of the Senate and received the oath of office.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that a quorum of the House have assembled and organized by the election of James L. Martin, the Representative from the town of Londonderry, as Speaker and Henry N. Newell of Shelburne as Clerk, and are now ready on their part to proceed with the business of the session.

Mr. Dwinell offered the following resolution, which was read and adopted:

Resolved, That the Secretary be and is hereby directed to inform the House of Representatives that a quorum of the Senate have assembled and are ready to proceed with the business of the session.

Mr. Dana introduced the following resolution, which was read and adopted:

Resolved, That a committee of two Senators be appointed by the President to wait upon His Excellency the Governor and inform him that the Senate have met, have organized, and are ready on their part to proceed with the business of the session.

The President appointed as the committee to wait upon His Excellency the Governor,

Senator Dana of Addison,
" Field of Windsor.

The Senate then proceeded to the election of Chaplain.

The President appointed as tellers Senators Gleed, Gleason and Henry.

The ballots having been taken and examined for Chaplain, it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Chaplain, the same tellers serving.

The ballots having been taken and examined for Chaplain, it appeared that the Senate had made no choice.

The Senate again proceeded to the election of Chaplain, same tellers as above.

The ballots having been taken and examined for Chaplain, it appeared that

EDWIN WHEELOCK

of Cambridge, having received a majority of all the votes cast, was elected.

A message was received from the House of Representatives, by W. W. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part considered joint resolution relating to joint rules, and have adopted the same in concurrence.

Mr. Dana, from the committee to wait upon His Excellency the Governor, reported that they had performed the duty assigned them and that the Governor had at present no communication to make to the Senate.

On motion of Mr. Dillingham the Senate adjourned at eleven o'clock and thirty-five minutes.

AFTERNOON.

The President nominated and the Senate confirmed the following named Senators as the committee on the part of the Senate to canvass the votes for Governor, Lieutenant Governor and Treasurer for the two years next ensuing:

Addison County,	Mr. North.
Bennington County,	" Sykes.
Caledonia County,	" Blodgett.
Chittenden County,	" Weed.
Essex County,	" Judevine.
Franklin County,	" Woodworth.
Grand Isle County,	" Goodsell.
Lamoille County,	" Gleed.
Orange County,	" Gleason.
Orleans County,	" Lane.
Rutland County,	" King.
Washington County,	" Dwinell.
Windham County,	" Bridgman.
Windsor County,	" Field.

Mr. Dwinell offered the following joint resolution, which was read and adopted on the part of the Senate:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly to-morrow afternoon at two and one half o'clock to receive the report of the joint canvassing committee, appointed to canvass votes for State officers.

On motion of Mr. Bridgman, the Senate took a recess of fifteen minutes.

At the expiration of the recess the President resumed the chair.

On motion of Mr. Dana the Senate adjourned at three o'clock and five minutes.

THURSDAY, OCTOBER 7TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part appointed the following named gentlemen as members of the committee to canvass votes for Governor, Lieutenant Governor and Treasurer:

Addison County,	Mr. Battell of Middlebury,
	" Kent of Bristol,
	" Wright of Orwell;
Bennington County,	" Deming of Arlington,
	" Hapgood of Peru,
	" Abbott of Bennington;
Caledonia County,	" Ranney of Kirby,
	" Smith of Newark,
	" Welch of Groton;
Chittenden County,	" Prindle of Charlotte,
	" Allen of Hinesburgh,
	" Stevens of Westford;
Essex County,	" Roby of Bloomfield,
	" Fitch of Brunswick,
	" Damon of Victory;

Franklin County,	" Shepardson of Fairfax,
	" Curtis of Georgia,
	" Dix of Montgomery;
Grand Isle County.	" Brown of Grand Isle,
	" Hurst of Isle La Motte,
	" Fefee of North Hero;
Lamoille County,	" Blaisdell of Cambridge,
	" Parker of Elmore,
	" Pike of Stowe;
Orange County,	" Cobb of Strafford,
	" Walker of Williamstown,
	" Chamberlain of Bradford;
Orleans County,	" Simpson of Greensboro,
	" Skinner of Barton,
	" Buck of Troy;
Rutland County,	" Allen of Fair Haven,
	" Ripley of Poultney,
	" Colton of Sherburne;
Washington County,	" Wheelock of Berlin,
	" Chapin of Middlesex,
	" Hunt of Worcester;
Windham County,	" Smith of Rockingham,
	" Cushing of Jamaica,
	" Spencer of Wilmington;
Windsor County,	" Davis of Chester,
	" Babcock of Bridgewater,
	" Bryant of Weston.

The President administered the prescribed oath to the members of the canvassing committee appointed to canvass votes for State officers.

On motion of Mr. Peck the Senate then proceeded to the election of President *pro tempore.*

The President appointed as tellers Senators Henry and North.

The ballots having been taken and counted, it appeared that

PHILIP K. GLEED,

a Senator from the county of Lamoille, having received a majority of all the votes cast, was elected.

He presented himself at the bar of the Senate, took the oath of office, and on taking the chair, addressed the Senate as follows:

SENATORS: You will please accept my gratitude for the honor you have conferred upon me in electing me to preside temporarily over your deliberations.

I shall endeavor to perform the duties of the office so as to meet your commendation, trusting always more in your forbearance and assistance than in my own experience.

The Chair awaits the order of the Senate.

A message was received from His Excellency the Governor by Mr. Stimson, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he will deliver a valedictory message to the two Houses in joint assembly, at such hour this forenoon as the two Houses may fix upon.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

The House have on their part adopted a joint resolution relating to a joint assembly to hear the valedictory message of His Excellency the Governor;

In the adoption of which the concurrence of the Senate is requested.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered a joint resolution providing for a joint assembly, and have adopted the same in concurrence.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, on motion of Mr. Field the Senate adjourned at eleven o'clock and fifty-five minutes.

AFTERNOON.

President *pro tempore* in the chair.

On motion of Mr. Bridgman the Senate took a recess of fifteen minutes.

At the expiration of the recess the President resumed the chair.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Gleed offered the following resolution, which was read and adopted:

Resolved, That a committee of three Senators be appointed to inform the Lieutenant Governor of his election and conduct him to the Senate to receive the oath of office.

The President appointed as the committee under the foregoing resolution,

Senator Gleed of Lamoille,
" Weed of Chittenden,
" Blodgett of Caledonia.

The committee appointed to wait upon the Lieutenant Governor appeared at the bar of the Senate, accompanied by His Honor John L. Barstow, who received and subscribed the oath of office required by the Constitution, and upon taking the chair addressed the Senate as follows:

Through the forms prescribed in the Constitution, you have been made aware that the freemen of the State have assigned to me the task of presiding over the deliberations of your honorable body during the present session of the legislature.

This honor I gratefully acknowledge and shall strive to perform the duties of this high though wholly unsought trust, with faithfulness and impartiality.

But my lack of experience constrains me to most respectfully and earnestly solicit your assistance and forbearance.

Your session will doubtless be a long one.

The consideration of the report of the Commissioners to revise the Statutes will of itself involve arduous and long-continued labor, while the submission to the House of proposals of amendments to the Constitution is a responsibility for the first time devolving upon the Senate, and the time that may be consumed in this direction may be inferred from the fact that the last Council of Censors, after an interval of seven years, were over two weeks in the performance of labors most of which, after an interval of eleven years, you are now required to perform. All this is in addition to the ordinary routine of general legislation.

Except during the perilous times of war, no Vermont Senate has had more grave and responsible duties than the present one, and it is gratifying to know that in point of ability and experience few have been so well able to perform them to the satisfaction of the people.

Hoping that the present legislature may give to the State a just system, and greatly reduced rate of taxation, and that your labors, though severe, may be harmonious and pleasant, and thanking you for your courteous attention, I am now ready to assume the duties of the chair.

On motion of Mr. Dana the Senate adjourned at four o'clock and five minutes.

FRIDAY, OCTOBER 8TH, 1880.

Reading of the Scriptures and prayer by the Chaplain.
Journal of Thursday read and approved.

Mr. Pember introduced the following resolution:

Resolved by the Senate and House of Representatives, That a joint committee, to consist of one Senator and three Members of the House of Representatives from each county, be appointed to receive and examine the certificates of the votes given in each county for Assistant Judges of the county court, Sheriff, High Bailiff and State's Attorney for such counties for the two years next ensuing. Also, to receive and examine the certificates of the votes in each probate district for the Judges of Probate in such districts for the two years next ensuing. Also, to receive and examine the certificates of the votes given in the several towns for Justices of the Peace for the two years next ensuing; to ascertain and declare the persons duly elected to the said offices and report the said election to the General Assembly agreeably to the provisions of the Constitution;

Which was read and adopted on the part of the Senate.

Mr. Dillingham introduced the following resolution, which was read and adopted:

Resolved, That the standing committees of the Senate shall severally consist of the Senators hereafter named:

ON RULES.

Mr. Gleed,
" Dillingham,
" Brown.

ON FINANCE.

Mr. Fuller,
" Thatcher,
" Judevine.

ON JUDICIARY.

Mr. Dunton,
" Gleed,
" Start,
" Gleason,
" Henry,
" Safford,
" Bridgman.

ON CLAIMS.

Mr. Field,
" Lane,
" Sykes,
" Dwinell,
" North.

ON EDUCATION.

Mr. Robinson,
" King,
" Gleason,
" Goodsell,
" Start.

ON AGRICULTURE.

Mr. Paul,
" Dwinell,
" Pember.

ON MANUFACTURES.

Mr. Peck,
" Brown,
" Fuller.

ON ELECTIONS.

Mr. Darling,
" Cook,
" Weed.

ON MILITARY AFFAIRS.

Mr. Henry,
" Fuller,
" King.

ON RAILROADS.

Mr. Dillingham,
" Dana,
" Weed,
" Woodworth,
" Gleason,
" Darling,
" Fuller.

ON HIGHWAYS AND BRIDGES.

Mr. North,
" Pember,
" Peck.

ON BANKS.

Mr. Woodhouse,
" Blodgett,
" Thatcher.

ON LAND TAXES.

Mr. Brown,
" Judevine,
" Sykes.

ON PRINTING.

Mr. Safford,
" Goodsell,
" Field.

GENERAL COMMITTEE.

Mr. Lane,
" Woodworth,
" Sykes.

ON FEDERAL RELATIONS.

Mr. Bridgman,
" Blodgett,
" Dunton.

ON STATE PRISON.

Mr. Dana,
" Paul,
" Weed.

ON INSANE ASYLUM.

Mr. Cook,
" Bridgman,
" Safford.

ON GRAND LIST.

Mr. Dwinell,
" Judevine,
" Woodworth.

Mr. Dana introduced the following joint resolution, which was read and adopted on the part of the Senate:

Resolved by the Senate and House of Representatives, That the Secretary of State be directed to procure, as soon as practicable, from the proper officer of the United States government an official statement of the census of Vermont, as taken under the authority of the United States in 1880, exhibiting the population of the State by towns and counties; such statement, when procured, to be transmitted to each branch of the General Assembly.

Mr. Dillingham introduced the following joint resolution:

Resolved by the Senate and House of Representatives, That a joint committee of five Senators and seven Representatives be appointed by the presiding officers of the two Houses respectively, as a special standing committee for the session to take into consideration the draft of a revision of the laws of the State submitted by the commissioners appointed to prepare the same, and all matters relating thereto, and report thereon in their discretion; and that such committee be authorized to employ a Clerk, who shall receive the same compensation as a member;

Which was read and on motion of Mr. Dana referred to the Committee on Joint Rules.

The President laid before the Senate the following communication from Honorable W. G. Veazey:

To HON. J. L. BARSTOW,

President of the Senate:

The commission appointed by the Governor under the authority of an act providing for the revision of the public laws of this State, approved November 9, 1878, submit to the General Assembly the revision prepared in accordance with the provisions of said act, together with a report thereon, and copies of the same are furnished for members of the Senate.

W. G. VEAZEY,
Commissioner.

The President laid before the Senate the following communications from His Excellency the Governor:

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, October 8, 1880.

To the President of the Senate:

SIR:—I have the honor to inform the Senate that I have appointed Lester F. Thurber Secretary of Civil and Military Affairs.

ROSWELL FARNHAM.

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, October 8, 1880.

To the President of the Senate:

SIR:—I have the honor to inform the Senate that I have appointed Frank H. Brown Executive Clerk.

ROSWELL FARNHAM.

The President announced the following appointment:

OFFICIAL REPORTER.

ROBERT ROBERTS of Burlington.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part appointed as Committee on Joint Rules

Mr. Abell of West Haven,
" Mackenzie of Woodstock,
" Grout of Newport.

The House have on their part adopted a joint resolution granting the Hall of the House of Representatives to the Vermont State Med ical Society;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to the Vermont State Medical Society on the evening of Wednesday, October 13th, for an address by Professor Samuel W. Thayer of Burlington;

Was read and adopted in concurrence.

Mr. Gleed introduced a bill entitled,

S. 1. An act entitled an act to amend section two of an act entitled, An act relating to court expenses and criminal prosecutions, approved November 27th 1878,

Which was read the first and second times and referred to the Committee on the Judiciary.

Mr. Bridgman offered the following joint resolution which was read and adopted on the part of the Senate:

Resolved by the Senate and House of Representatives, That a joint committee, consisting of one Senator and three Representatives from each county, be appointed upon nomination of the President of the Senate and Speaker of the House of Representatives respectively, to canvass votes given in the several congressional districts and declare those persons having a majority of all the votes cast in said districts respectively to be elected Representatives to represent the State in the Congress of the United States.

Resolutions were introduced, read and adopted, as follows:

By Mr. Gleason,

Resolved, That so much of the Governor's message as relates to grand and petit jury be referred to the Judiciary Committee.

By Mr. Lane,

Resolved, That so much of the Governor's message as relates to the grand list and assesment of taxes be referred to the Committee on Grand List.

By Mr. Peck,

Resolved, That so much of the Governor's message as relates to the insane asylum be referred to the Committee on Asylum for Insane.

By Mr. Dana,

Resolved, That so much of the Governor's message as relates to the state prison be referred to the Committee on the State Prison.

By Mr. Dwinell,

Resolved, That so much of the Governor's message as relates to finance be referred to the Committee on Finance.

By Mr. Robinson,

Resolved, That so much of the Governor's message as relates to the subject of education be referred to the Committee on Education.

The President announced the appointment of the following joint committee:

ON JOINT RULES.

Mr. Gleason,
" Dana.

Mr. Safford introduced the following joint resolution:

Resolved by the Senate and House of Representatives, That a joint special committee, consisting of two Senators and three Representatives, be appointed by the President of the Senate, and the Speaker of the House, respectively, to whom shall be referred the subject of court expenses and legislation connected therewith;

Which was read and adopted on the part of the Senate.

Mr. Pember offered the following resolution, which was read and adopted:

Resolved, That so much of the Governor's message as relates to agriculture and the State agricultural college be referred to the Committee on Agriculture.

Mr. Bridgman offered the following resolution:

Resolved, That when the Senate adjourns this afternoon, it adjourns to two o'clock, P. M., Monday next;

Which was read.

Mr. Field moved to amend the resolution by striking out the words, *this afternoon*;

Which was accepted;

And the question being, Will the Senate adopt the resolution as amended? it was decided in the affirmative—yeas, 16; nays, 13:

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Gleed,	Safford,
Cook,	Goodsell,	Start,
Field,	Henry,	Weed,
Fuller,	Paul,	Woodhouse,
Gleason,	Peck,	Woodworth—16.
	Robinson,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Dillingham,	North,
Brown,	Dwinell,	Pember,
Dana,	Judevine,	Sykes,
Darling,	King,	Thatcher—13.
	Lane,	

So the resolution was adopted.

Mr. Fuller offered the following resolution, which was read and adopted:

Resolved, That so much of the Governor's message as relates to the militia and military historian be referred to the Committee on Military Affairs.

On motion of Mr. Dwinell the Senate adjourned at eleven o'clock and thirty minutes.

MONDAY, OCTOBER 11TH.

The Senate convened at two o'clock in the afternoon, pursuant to adjournment.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Friday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Safford,

S. 2. An act in relation to appeals in civil actions founded upon contracts;

To the Committee on the Judiciary.

By Mr. Blodgett,

S. 3. An act authorizing the village of St. Johnsbury to re-fund its outstanding notes or bonds;

To the Committee on Finance.

By Mr. Pember,

S. 4. An act to repeal a portion of chapter eighty-three of the General Statutes, relating to the grand list;

To the Committee on Grand List.

A message was received from the House of Representatives, by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolutions from the Senate as follows:

Joint resolution for the appointment of a joint committee to canvass votes for county officers and justices of the peace;

Joint resolution for the appointment of a joint committee to canvass votes for members of Congress;

Joint resolution relating to the census;

And have adopted the same in concurrence.

The President apppointed the following named Senators as the committee on the part of the Senate to canvass votes for county officers:

Addison County,	Mr. Dana.
Bennington County,	" Thatcher.
Caledonia County,	" Darling.
Chittenden County,	" Robinson.
Essex County,	" Judevine.
Franklin County,	" Start.
Grand Isle County,	" Goodsell.
Lamoille County,	" Gleed.
Orange County,	" Peck.
Orleans County,	" Brown.
Rutland County,	" Cook.
Washington County,	" Dillingham.
Windham County,	" Fuller.
Windsor County,	" Paul.

The President announced as the committee on the part of the Senate to canvass votes for members of Congress the following named Senators:

FIRST CONGRESSIONAL DISTRICT.

Addison County,	Mr. North,
Bennington County,	" Sykes,
Rutland County,	" Pember,
Washington County,	" Dwinell.

SECOND CONGRESSIONAL DISTRICT.

Caledonia County,	Mr. Darling,
Orange County,	" Peck,

Windham County, - - - -	Mr. Bridgman,
Windsor County, - - - - -	" Henry.

THIRD CONGRESSIONAL DISTRICT.

Chittenden County, - - - -	Mr. Woodhouse,
Essex County, - - - - -	" Judevine,
Franklin County, - - - -	" Safford,
Grand Isle County, - - - -	" Goodsell,
Lamoille County, - - - -	" Gleed,
Orleans County, - - - - -	" Brown.

On motion of Mr. Lane the Senate adjourned at three o'clock and ten minutes.

TUESDAY, OCTOBER 12TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Dillingham,

S. 5. An act to repeal an act entitled, An act in relation to the catching of fish in Maidstone Lake, in the county of Essex, approved November 26th, A. D. 1878;

To the General Committee.

By Mr. Henry,

S. 6. An act to authorize the trustees of Chester Academy to convey the Academy and other property;

To the Committee on Education.

By Mr. Gleed,

S. 7. An act to equalize taxation;

To the Committee on the Grand List.

Mr. Dana offered the following resolution, which was read and adopted:

Resolved, That at two and one-half o'clock on Tuesday afternoon, October 19th, 1880, the Senate will proceed to the election of a Senator of the United States, for the State of Vermont, for the full term of six years from and including the fourth day of March, A.

D. 1881, and that each Senator as his name is called name *viva voce* the person he would elect as such Senator, as required by the act of Congress, entitled, An act regulating the time and manner of holding elections for Senators in Congress," approved July 25th, 1876.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part appointed the following named gentlemen as members of the committee to canvass votes for members of Congress:

Addison County,	Mr. Waterhouse of Salisbury,
	" Hill of Starksboro,
	" Booth of Waltham;
Bennington County,	" Webb of Sunderland,
	" Abbott of Landgrove,
	" Goodell of Readsboro;
Caledonia County,	" Bolton of Peacham,
	" Welch of Groton,
	" Ranney of Kirby;
Chittenden County,	" Stevens of Westford,
	" Woodworth of Underhill,
	" Whalen of Bolton;
Essex County,	" Grout of Concord,
	" Fitch of Brunswick,
	" Morrill of Canaan;
Franklin County,	" Button of Richford,
	" Dix of Montgomery,
	" Leavens of Berkshire;
Grand Isle County,	" Brown of Grand Isle,
	" Hurst of Isle La Motte,
	" Mott of Alburgh;
Lamoille County,	" Potter of Belvidere,
	" Parker of Elmore,
	" Blaisdell of Cambridge;
Orange County,	" Smith of Fairlee,
	" Taylor of Thetford,
	" Farnham of West Fairlee;
Orleans County,	" Wood of Westfield,
	" Farman of Lowell,
	" Caswell of Holland;
Rutland County,	" Shedd of Mendon,
	" Potter of Clarendon,
	" Grover of Wells;
Washington County,	" McKnight of Woodbury,
	" Bucklin of Warren,
	" Boyce of Fayston;
Windham County,	" Cushing of Jamaica,
	" Sumner of Halifax,
	" Knight of Stratton;

Windsor County, . .	Mr. Richardson of Stockbridge,
	" Lovejoy of Andover,
	" Morrison of West Windsor.

The House have also appointed the following named members on the part of the House to canvass votes for county and probate officers, and Justices of the Peace:

Addison County, . . .	Mr. Dutton of Goshen,
	" O'Bryan of Lincoln,
	" Cobb of Ripton;
Bennington County, . .	" Stanley of Searsburgh,
	" Mallory of Woodford,
	" Bratton of Stamford;
Caledonia County, . . .	" Ayer of Stannard,
	" Willey of Sutton,
	" Ferguson of Walden;
Chittenden County, . .	" Thayer of South Burlington,
	" Hinsdill of St. George,
	" Palmer of Jericho;
Essex County, . . .	" O'Neil of Lemington,
	" Grout of Concord,
	" Roby of Bloomfield;
Franklin County, . .	" Leach of Sheldon,
	" McGettrick of Fletcher,
	" Shepardson of Fairfax;
Grand Isle County, . .	" Mott of Alburgh,
	" Fefee of North Hero,
	" Dillon of South Hero;
Lamoille County, . .	" Rogers of Waterville,
	" Pike of Stowe,
	" Booth of Morristown;
Orange County, . . .	" Taylor of Washington,
	" Hutchinson of Orange,
	" Shepherd of Brookfield;
Orleans County, . . .	" Goodwin of Derby,
	" Daniels of Westmore,
	" Wilcox of Morgan;
Rutland County, . . .	" Kelley of Danby,
	" Horton of Chittenden,
	" Tubbs of Tinmouth;
Washington County, . .	" Gould of Cabot,
	" Leonard of Calais,
	" Mears of Marshfield;
Windham County, . . .	" Ober of Athens,
	" Gould of Windham,
	" Barney of Guilford;
Windham County, . .	" Dexter of Reading,
	" Adams of Pomfret,
	" Follett of Sharon.

The House have on their part adopted joint resolutions as follows:

Joint resolution granting the use of Representatives' Hall to the Vermont Historical Society;

Joint resolution granting the use of the Hall of the House of Representatives to the Vermont Bible Society;

In the adoption of which the concurrence of the Senate is requested.

The House have considered joint resolution from the Senate relating to appointing a joint special committee on court expenses;

And have adopted the same in concurrence, with proposals of amendment, in the adoption of which the concurrence of the Senate is requested.

Mr. Gleason, from the Committee on Joint Rules, made the following report:

SENATE CHAMBER, Oct. 12, 1880.

To the Honorable Senate now in session:

The Committee on Joint Rules respectfully report that they recommend the adoption of the following as the

JOINT RULES

OF THE

SENATE AND HOUSE OF REPRESENTATIVES.

1.

A joint assembly shall be formed by an union of the Senate and House of Representatives in the Hall of the latter, at such time and for such specific purpose only as may be expressed in a concurrent resolution of both Houses; and may adjourn from time to time during the session of the General Assembly. The President of the Senate shall in all cases preside over, and the Secretary of State, or, in his absence, the Secretary of the Senate, shall officiate as Clerk; and the rules of the Senate as far as applicable shall be observed in regulating the proceedings of every joint assembly.

2.

The proceedings of every joint assembly, including the resolution ordering the same, shall be recorded by the Clerk in a book kept for that purpose, which shall be preserved in the office of the Secretary of State, a copy of which shall be furnished to the Governor by the Secretary of State, and shall also be published with the Journal of the Proceedings of the House of Representatives.

3.

At the commencement of each session the following joint standing committees, consisting of two Senators and three Representatives, shall be appointed by the presiding officers of the two Houses respectively, to wit:

A Committee on Joint Rules.
A Committee on the Library.
A Committee on the State Work House.

Also the following joint standing committees, to consist of three Senators and five Representatives, to wit:

A Committee on the Reform School.
A Committee on Game and Fisheries.

4.

A joint committee of three Senators and three Representatives shall be appointed by the presiding officers of the two Houses respectively, to whom may be referred all documents transmitted by the Governor for the use of the General Assembly, who shall report thereon to that House from which they were received.

5.

The committee of the Senate and House of Representatives, to whom the same subject matter shall have been referred, may, for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both Houses, as they may think expedient.

6.

In every case of disagreement between the Senate and House of Representatives, if either shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee on its part, such committee shall meet at a convenient hour, to be agreed upon by their chairman, in the conference room, and state to each other, verbally or in writing, the reasons of each House for its vote on the subject matter of disagreement, confer freely thereon, and make a report of their doings to their respective Houses as soon as may be.

7.

Committees of Conference shall consist of an equal number from each House, and shall return the papers referred to them to that House which last voted upon the subject matter of disagreement. The

report of the Committee of Conference cannot be amended or altered, as that of other committees may be. In all cases of conference asked after a vote of disagreement, the conferees of the House asking it are to leave the papers with the conferees of the other.

8.

After each House shall have adhered to the vote of disagreement, a bill of resolution shall be lost.

9.

When bills and resolutions are on their passage between the two Houses, they shall be verified by the attestation of the Secretary or Clerk of each House respectively, and all bills, after their third reading have been ordered, and before being read the third time, shall be duly engrossed; and all joint resolutions shall be fairly engrossed, after their passage, in the House in which they originate, and shall, when finally passed, be signed by the presiding officer of both Houses, in the same manner as bills.

10.

When a bill or resolution, which shall have passed one House, is rejected in the other, notice thereof shall be given to the House in which the same shall have passed; and all such rejected bills or resolutions, with the accompanying papers, shall be returned to and left in the custody of the House which first acted on them.

11.

Each House shall transmit to the other all papers on which any bill or resolution shall be founded; and should any bill or resolution pass both Houses the same papers shall be delivered to the Governor.

12.

No bill, which shall have passed one House, shall be sent for concurrence to the other on the last day of the session.

13.

A two-thirds vote of all present shall be required for the suspension of any joint rule.

All of which is respectfully submitted,

S. M. GLEASON,
EDWARD S. DANA, } Committee on the part of the Senate.

R. C. ABELL,
J. F. MACKENZIE, } Committee on the part of the House.

Which was read, and on motion of Mr. Cook *ordered* to lie.

Joint resolutions from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives on Tuesday evening, October 19th, 1880, be granted to the Vermont Historical Society, for the address by Hon. Edward A. Sowles of St. Albans, upon "The Fenian Raid;"

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to the Vermont Bible Society on Wednesday evening, October 20th, A.D. 1880, for the purpose of holding the anniversary exercises of that society;

Were read and adopted in concurrence.

The Senate considered House proposal of amendment to joint resolution from the Senate relating to the appointment of a joint special committee on court expenses as follows:

The House propose to the Senate to amend joint resolution from the Senate relating to "court expenses" as follows, viz., by striking out the word "three" in the third line and inserting in lieu thereof the word *five;*

Which proposal of amendment was concurred in.

The President administered the prescribed oath to the members of the canvassing committees appointed to canvass votes for members of Congress and county and probate officers and Justices of the Peace.

Mr. Cook called up the report of the Committee on Joint Rules and moved that the report be accepted and adopted.

Mr. Paul moved to amend the report as follows:

By striking out the words "State Work House" in the seventh line of rule three and inserting in lieu thereof the words *House of Correction;*

Which was agreed to.

Mr. Gleed moved to further amend the reports by striking out of rule ninth the following clause, viz., "*and all* bills, after their third reading have been ordered, and before being read the third time, shall be duly engrossed;"

Pending the adoption of which, on motion of Mr. Field, the report was *ordered* to lie and be printed and be made the special order for to-morrow morning at eleven o'clock.

Mr. Dwinell offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly at two and one-half o'clock to-morrow afternoon to hear the report of the joint committee to canvass votes for Representatives of Congress;

Which was read and adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their

part adopted a joint resolution relating to the appointment of a joint special committee on the revision of laws;

In the adoption of which the concurrence of the Senate is requested.

Joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That a joint committee of five Senators and nine Representatives be appointed by the presiding officers of the two Houses respectively as a special standing committee for this session to take into consideration the draft of a revision of the laws of the State submitted by the commissioners appointed to prepare the same, and all matters relating thereto, and report thereon in their discretion, and that such committee be authorized to employ a Clerk, who shall receive the same compensation as a member;

Was read and referred to the Committee on Joint Rules.

On motion of Mr. Weed the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

Mr. Gleason, from the Committee on Joint Rules, to which was referred joint resolution from the House relating to the appointment of a special standing committee to take into consideration the draft of the revision of the laws, reported, recommending the adoption of the resolution in concurrence.

Thereupon the resolution was adopted in concurrence.

Mr. Gleed introduced a bill entitled,

S. 8. An act to construe section three of An act to assess and tax railroads, approved November 28th, 1876, and to relieve towns misled thereby;

Which was read the first and second times and referred to the Committee on Claims.

The President announced as a joint committee on the part of the Senate under a joint resolution from the House relating to a special standing committee to take into consideration the revision of the laws,

Mr. Dillingham of Washington,
" Henry of Windsor,
" Bridgman of Windham,
" Start of Franklin,
" Gleed of Lamoille.

and under joint resolution providing for a special joint committee on court expenses,

Mr. Safford of Franklin,
" Lane of Orleans.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution providing for a joint assembly to hear the report of the joint committee to canvass votes for Representatives of Congress, and adopted the same in concurrence.

The House have on their part adopted a joint resolution relating to extending an invitation to Gen. Grant to visit Montpelier;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That His Excellency the Governor be empowered to invite, at his approaching visit to Boston, General U. S. Grant to be the guest of the Legislature at an early date during the present session;

Was read and referred to the Committee on Finance.

Mr. Dunton offered the petition of Myron D. Hayward asking for relief;

Which was read and referred to the Committee on Claims.

Mr. Dunton introduced a bill entitled,

S. 9. An act to pay Myron D. Hayward the sum therein named;

Which was read the first and second times and referred to the Committee on Claims.

Mr. Thatcher, from the Committee on Joint Rules, to which was referred a joint resolution from the House relating to an invitation to General U. S. Grant to visit the State of Vermont, reported in favor of its adoption in concurrence.

Thereupon the resolution was adopted in concurrence.

On motion of Mr. Henry the Senate adjourned at three o'clock and fifteen minutes.

WEDNESDAY, OCTOBER 13TH, 1880.

Reading of Scripture and prayer by the Chaplain.

Journal of Tuesday read and approved.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Peck,

S. 10. An act to amend an act entitled, An act to pay expenses of the Reform School, approved November 28th, 1876;

To Joint Committee on the Reform School.

By Mr. Bridgman,
S. 11. An act regulating the service of subpœnas;
To the Committee on the Judiciary.

By Mr. Dillingham,
S. 12. An act changing the terms of the Supreme Court;
To the Committee on the Judiciary.

By Mr. Safford,
S. 13. An act to incorporate the Vermont Steamboat Company;
To the General Committee.

By Mr. Gleason,
S. 14. An act to amend an act entitled, An act permitting parties in civil suits to challenge jurors;
To the Judiciary Committee.

By Mr. Woodworth,
S. 15. An act to pay Hazen B. Ladd the sum therein named;
To the Committee on Claims.

By Mr. Dunton,
S. 16. An act to amend an act entitled, An act to incorporate the Rutland County Trust Company, approved November 8th, 1872;
To the Committee on Banks.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part appointed the following named gentlemen as joint committee under joint resolution providing for a joint committee on revision of the Statutes:

Mr. Taft of Burlington,
" Thompson of Irasburgh,
" Page of Rutland,
" Grout of Newport,
" Fifield of Montpelier,
" Abell of West Haven,
" Fletcher of Cavendish,
" Smith of St. Johnsbury,
" Palmer of Jericho.

The report of the Joint Committee on Joint Rules was taken up as a special order.

Mr. Gleed asked leave to withdraw his proposal of amendment, and there being no objection the same was withdrawn.

Mr. Gleed moved to amend rule *ninth* as reported by the committee by inserting after the words "duly engrossed" in the sixth line the words, *if the House in which they originated shall so order;*

Which was accepted by Mr. Gleason for the committee.

Mr. Gleed moved to further amend the report by striking out of line seven in rule three the words "a Committee on the House of Correction," and by inserting in said rule after the words "to wit,"

in the ninth line, the words *a Committee on the House of Correction;*

Which was agreed to.

Mr. Pember moved to amend rule three by striking out the words "a Committee on Game and Fisheries;"

Which amendment was disagreed to.

Thereupon the report as amended was adopted on the part of the Senate.

On motion of Mr. Peck the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to request the Senate to return to the possession of the House a joint resolution relating to a joint assembly to hear the report of the committee to count the votes for members of Congress.

Mr. Gleed introduced the following resolution:

Resolved, That the Secretary be requested to return to the House joint resolution providing for a joint assembly to receive the report of joint committees to canvass votes for members of Congress;

Which was read and adopted.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a bill entitled

S. 1. An act entitled an act to amend section two of an act entitled, An act relating to court expenses and criminal prosecutions, approved November 27th, 1878;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow morning at eleven o'clock.

Mr. Fuller, from the Committee on Finance, to whom was referred a bill entitled

S. 3. An act authorizing the village of St. Johnsbury to re-fund its outstanding notes or bonds;

Reported in favor of its passage.

Thereupon the bill was read the third time and passed.

Mr. Dunton presented the petition of Alexander Clayton and nine others, requesting that the same be referred to the Committee on Grand List;

Mr. Cook moved that the Senate take a recess of fifteen minutes.

Mr. Dana moved to amend by extending the time until three o'clock, which was accepted and the motion as amended was agreed to.

At the expiration of the recess Mr. Dillingham resumed the chair.

On motion of Mr. Gleed the Senate adjourned at three o'clock and five minutes.

THURSDAY, OCTOBER 14TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered the report of Joint Committee on Joint Rules;

And have adopted the same in concurrence, with a proposal of amendment, in the adoption of which the concurrence of the Senate is requested.

Mr. Dillingham offered the following joint resolution:

Resolved by the Senate and House of Representatives, That all bills of a public nature shall, before being reported by committee, be put into the hands of the Joint Committee on the Revision of the Laws, to be framed in accordance with the style adopted in the revised laws without change of substance, and so far as practicable to be put in proper form for the insertion in the revised laws when finally printed, and that if amendments are made after a bill is reported the Secretary of the Senate or Clerk of the House, as the case may be, shall return such bills to the Committee on the Revision for any further changes of the same character that may be necessary before the bill is put upon its final passage;

Which was read and on motion of Mr. Dana *ordered* to lie and be printed.

Mr. Gleason introduced a bill entitled

S. 17. An act to repeal an act to enable owners of lands to drain the same, approved November 19th, 1868;

Which was read the first and second times, and referred to the Committee on the Judiciary.

The report of the Joint Committee on Joint Rules was taken up, having been returned from the House with a proposal of amendment as follows:

By striking out after the word "respectively" in lines three and four of rule nine, the words, *and all bills after their third reading have been ordered and before being read the third time shall be duly engrossed, if the House in which it originated so order;"*

In the adoption of which the Senate refuse to concur.

Mr. Dana offered the following joint resolution;

Which was read and adopted on the part of the Senate;

Resolved by the Senate and House of Representatives, That the Joint Committee of the Library be directed to inquire and report to the General Assembly what progress has been made, if any, in the publication of the History of the Centennial Celebration of the Battle of Bennington, as contemplated by a joint resolution adopted by the General Assembly of 1878; and also to inquire and report whether any further legislation is necessary to properly carry said joint resolution into effect;

Mr. Pember introduced a joint resolution as follows:

Resolved by the Senate and House of Representatives, That the Secretary of State is hereby authorized to procure the printing of three hundred copies of the Legislative Directory, in paper covers, in addition to those now provided by law, and he is hereby directed to hold them for distribution among the members of the next succeeding Legislature on the first day of the session.

Which was read and referred to the Committee on Printing.

A bill entitled

S. 1. An act entitled, An act to amend section two of an act entitled, An act relating to court expenses and criminal prosecutions, approved November 27th, 1878;

Was read the third time and passed.

Mr. Cook introduced the following joint resolution:

Resolved by the Senate and House of Representatives, That a special committee of two Senators and three Representatives be appointed by the presiding officer of each House respectively, to ascertain and report at the earliest day practicable consistent with the business of the session for the final adjournment of the General Assembly, and to whom all resolutions relating to final adjournment shall be referred;

Which was read, and on motion of Mr. Cook *ordered* to lie.

Mr. Safford introduced a bill entitled

S. 18. An act laying a tax on the county of Franklin;

Which was read the first and second times and referred to a select committee consisting of the Senators from Franklin county.

On motion of Mr. Thatcher the Senate adjourned at eleven o'clock and twenty minutes.

AFTERNOON.

Mr. Safford, from the Committee on Printing, to which was referred joint resolution providing for the printing of additional copies of the Legislative Directory:

Reported recommending the adoption of the resolution.

Thereupon the resolution was adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House insist on their proposal of amendment to the report of the Committee on Joint Rules, and ask for a Committee of Conference, and the House have appointed on their part as such committee,

Mr. Page of Rutland,
" Howe of Ludlow,
" Fifield of Montpelier.

The House have passed a bill entitled

H. 46. An act relating to the jurisdiction of the city court of the city of Burlington;

In the passage of which the concurrence of the Senate is requested.

The Senate acceded to the request of the House for the appointment of a Committee of Conference on the disagreeing votes of the two Houses on the joint report of the Joint Committee on Joint Rules;

And the President appointed as such committee on the part of the Senate:

Senator Dana,
" Gleason,
" Sykes.

A House bill entitled

H. 46. An act relating to the jurisdiction of the city court of the city of Burlington;

Was read the first and second times, and referred to the Committee on the Judiciary.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dunton,

S. 19. An act to punish the embezzlement of money belonging to the state and municipal corporations;

To the Committee on the Judiciary.

By Mr. Henry,

S. 20. An act in addition to and in amendment of section thirty-four of the General Statutes;

To the Committee on the Judiciary.

Mr. Dunton offered the following proposal of amendment to the Constitution of the State, changing the time of election and meeting of the General Assembly:

Resolved by the Senate (two-thirds of the members thereof concurring), that the following article be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont, viz.:

ARTICLE XXVII.

SECTION 1. The General Assembly shall meet on the first Wednesday of January. The first election shall be on the Tuesday next after the first Monday in November, A. D. 1886; and the first session of the General Assembly on the first Wednesday in January, 1887.

SEC. 2. The Governor, Lieutenant Governor, Treasurer of the State, Senators, Town Representatives, Assistant Judges of the County Court, Sheriffs, High Bailiffs, State's Attorneys, Judges of Probate and Justices of the Peace shall be elected biennially on the Tuesday next after the first Monday in November, in the manner prescribed by the Constitution of the State.

SEC. 3. The term of office of Senators and Town Representatives shall be two years, commencing on the first Wednesday of January next after their election.

On motion of Mr. Safford the Senate adjourned at two o'clock and forty-five minutes.

FRIDAY, OCTOBER 15TH, 1880.

Reading of Scripture and prayer by the Chaplain.

Journal of Thursday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dwinell,

S. 21. An act to establish a State Board of Health and Vital Statistics.

To the Committee on the Judiciary.

By Mr. Safford,

S. 22. An act to abolish the office of railroad commissioner;

To the Committee on Railroads.

By Mr. Darling,

S. 23. An act to amend sections ten and twelve of the Session Laws of 1876 entitled, An act concerning dogs, and for the protection of sheep and other domestic animals:

To the General Committee.

A message was received from the House of Representatives, by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolutions from the Senate as follows:

Joint resolution in relation to the history of the Bennington Centennial Celebration;

Joint resolution providing for the printing of additional copies of the Legislative Directory;

And have adopted the same in concurrence.

A joint resolution relating to the submitting of all bills to the Committee on the Revision of the Laws for purposes named in the resolution,

Was taken up.

Mr. Dana moved that the resolution be *ordered* to lie, and be made the special order for Tuesday morning next at eleven o'clock;

Which was disagreed to.

Thereupon the resolution was adopted on the part of the Senate.

Mr. Dana, from the Committee of Conference on the disagreeing votes of the two Houses on the joint report of the Joint Committee on Joint Rules,

Submitted the following report:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the House to the joint rules as adopted by the Senate, having met, after full and free conference thereon, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

EDWARD S. DANA,
S. M. GLEASON,
G. M. SYKES,
} *Managers on part of the Senate.*

JOHN B. PAGE,
B. F. FIFIELD,
E. A. HOWE,
} *Managers on part of the House.*

And the question being, Will the Senate adopt the report of the committee on their part?

It was decided in the affirmative.

On motion of Mr. Gleed, the Senate took a recess of thirty minutes.

At the expiration of the recess Mr. Safford resumed the chair.

Mr. Gleed, from the Committee on Rules, reported, recommending the adoption of the rules of the Senate of 1878, with the following proposals of amendment:

First, Strike out all of Rule 29 after the word "President" in the fifth line;

Second, Insert the word *Senate* before the word "bill" in the first line of Rule 44;

Third, Insert after the word "Assembly," in the fourth line of Rule 44, the words *unless already printed;*

Fourth, Add Rule 45:

The President of the Senate shall appoint a special committee of five members to whom shall be referred all proposals of amendment to the Consitution of the State;

Which were severally agreed to.

On motion of Mr. North the Senate adjourned at eleven o'clock and forty-five minutes.

AFTERNOON.

On motion of Mr. Henry, the rules of the Senate of 1878, as amended, agreeably to the report of the Committee on Rules, were adopted as the rules of the Senate of 1880, as follows:

RULES AND ORDERS OF THE SENATE.

1.

The credentials of Senators shall be presented to the Secretary or Assistant Secretary previous to ten o'clock on the morning of the first Wednesday of October, at which time the Senate shall be called to order. The names of the Senators shall be called over, and when a quorum shall have taken their seats, they shall take the following oath, viz: "I, ————, Senator of the County of ———, in the State of Vermont, October Session, 18—, do solemnly swear that I will be faithful and true to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the constitution or government thereof as established by convention. So help me God. And I also solemnly swear that, as a member of this Sen-

ate, I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will in all things conduct myself as a faithful, honest representative and guardian of the people, according to the best of my judgment and abilities. So help me God." Whereupon, they shall, on nomination of the President, appoint a *Canvassing Committee*, consisting of one Senator from each county to join such committee as the House of Representatives may appoint, whose duty shall be to receive, sort and count the votes for Governor, Lieutenant Governor, and Treasurer; and shall, in like manner, appoint a committee of one Senator from each county to join such committee as the House of Representatives may appoint, whose duty shall be to canvass the votes for County and Probate officers and make report thereof to the joint assembly of both Houses.

2.

The Senate shall meet every day (Sundays excepted) at ten o'clock in the morning, and two o'clock in the afternoon, unless otherwise specially ordered.

3.

The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, and all errors therein corrected.

4.

In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, those present shall have the power to send the Sergeant-at-Arms, or other officer, after the absentees, and compel their attendance.

5.

Whenever the Senate shall assemble, according to adjournment, or at the commencement of a session, and the President shall be absent, it shall be the duty of the Secretary, if present, if not, of a Senator, to call to order; and the Senators present, if a quorum, shall by ballot elect a President *pro tempore*.

6.

No Senator shall be absent without leave, unless he is sick, or otherwise necessarily detained.

7.

No Senator, shall audibly speak to another, or otherwise interrupt the business of the Senate, while the journal or other public papers are being read, or while a Senator is orderly speaking in debate.

8.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished shall sit down.

9.

No member shall speak more than twice on the same question, without leave of the Senate; and Senators who have once spoken, shall not again be entitled to the floor (except for the purpose of explanation,) to the exclusion of another who has not spoken.

10.

In all cases, the Senator first arising and addressing the President (subject to the restriction of Rule 9,) shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

11.

When a Senator shall be called to order he shall sit down; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

12.

If a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing by the Senator calling to order, that the President may be better enabled to judge of the matter.

13.

The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials and remonstrances, motions, resolutions, and the introduction of bills; after which the orders of the day, or other proper business, shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in receiving and disposing of reports of committees, and in completing the business of the morning hour; at the expiration of which the Senate will again take up the orders of the day.

14.

Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the Senate, when the call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements, and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts or other explanations, in answer to the call of any Senator.

15.

The proceedings of the Senate, except when acting as in Committee of the Whole, embracing the titles of bills and such parts thereof as may be affected by the proposed amendments, and also the names of the Senators, and the votes which they give on every question decided by yeas and nays. shall be, by the Secretary, accurately and concisely inserted in the journal.

16.

The Senate shall biennially, within the first four days of actual sitting, elect, by ballot, a Secretary, and an Assistant Secretary, who shall be severally sworn to the faithful discharge of their duties, and shall hold their offices until superseded by a new election. The Assistant Secretary shall be *ex-officio*, engrossing clerk.

17.

The Senate shall at each biennial session appoint the following committees, to consist of three members each, except that the Committees on the Judiciary and on Railroads shall consist of seven members each, and the Committees on Claims and on Education shall consist of five members each:

A Committee on Rules.
A Committee on Finance.
A Committee on Judiciary.
A Committee on Claims.
A Committee on Education.
A Committee on Agriculture.
A Committee on Manufactures.
A Committee on Elections.
A Committee on Military Affairs.
A Committee on Railroads.
A Committee on Highways and Bridges.
A Committee on Banks.
A Committee on Land Taxes.
A Committee on Printing.

A General Committee.
A Committee on Federal Relations.
A Committee on the State Prison.
A Committee on the Insane Asylum.
A Committee on the Grand List.

18.

All bills after the second reading, and all petitions, memorials, remonstrances, resolutions and other papers, calling for legislative action (except such as have been reported by a committee), no objection being made, shall be referred by the President to appropriate committees.

19.

Before any resolution, any petition, or other paper addressed to the Senate, shall be received and read, whether the same shall be introduced by the President or a Senator, the title shall be fairly endorsed thereon, and a brief statement of its object or contents shall be made by the introducer.

20.

Every motion shall be reduced to writing by the mover, if required thereto by the President or a Senator, and a motion to lay another motion, the latter not being in writing, on the table, or otherwise to dispose of it, shall not be in order.

21.

Every bill shall receive three readings before it is passed; the President shall give notice at each reading whether it be the first, second or third; the last of which reading of public bills shall be at least twenty-four hours after the first reading, unless the Senate unanimously direct otherwise; provided, that the bills may be read the second time by their title. Resolutions requiring the approbation and signature of the Governor shall be treated in all respects as bills; and the third reading of all bills of a public nature shall be ordered for some particular day. Each and every nomination made by the Governor, to be confirmed by the Senate, shall lie over at least twenty-four hours between such nomination and the confirmation thereof.

22.

On motion of a Senator, public bills, after the second reading, may be referred to a Committee of the Whole.

23.

No amendment to a bill originating in the Senate shall be received at the third reading, but the bill may be committed to a Senator for amendment at any time before its passage.

24.

Motions on bills and resolutions shall be sustained in the following order: 1. To postpone indefinitely. 2. To lay on the table. 3. To commit. 4. To amend.

25.

A call for the previous question shall not at any time be in order. A motion to adjourn shall always be in order.

26.

If the question in debate contains several points, the same may be divided on the demand of a Senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one, or a motion to simply strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent one to strike out and insert.

27.

In filling blanks, the largest sum and the longest time shall be first in order.

28.

When the reading of a paper is called for, and the same is objected to by a Senator, the question shall be determined by a vote of the Senate.

29.

The yeas and nays shall be taken on the call of a Senator, and every Senator present shall vote unless excused by the Senate; but no Senator shall be compelled to vote who was absent when the question was stated by the President.

30.

No Senator in the minority, nor one who did not vote on the decision of the question, shall have a right to move a reconsideration

thereof; nor shall any motion for reconsideration be in order unless made before the close of the next day of actual sitting of the Senate, after that in which the vote was taken, and before the bill, resolution, report, amendment, address or motion upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the Senate.

31.

On all questions, in the decision of which a simple majority is required, when the Senate is equally divided, the Secretary shall take the casting vote of the President. In all such cases a motion for reconsideration, if made in time, shall be in order from any Senator who voted on the question.

32.

The President shall have the right to call upon any Senator to discharge the duties of the Chair, whenever he shall find it necessary temporarily to retire; but such substitution shall not extend beyond more than one adjournment.

33.

The Senate having taken the final vote on any question the same shall not again be in order during the same session, in any form whatever, except by way of reconsideration; and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

34.

No proposition to amend the rules of the Senate, or the joint rules of both Houses, shall be acted on until the same shall have been before the Senate at least twenty-four hours; and no rule of the Senate shall be suspended except by the vote of three-fourths of the members present.

35.

Messages shall be sent to the House of Representatives by the Secretary or Assistant Secretary.

36.

Reporters may be placed on the floor of the Senate, under the direction of the Secretary, with the approbation of the President.

37.

No person shall be admitted within the lobby of the Senate Chamber except the Governor, Treasurer of the State, Secretary of State, Auditor of Accounts, members of the other House, Judges of the Supreme Court, Circuit Judges, Senators and Representatives in Congress, Ex-Governors and Lieutenant Governors, Ex-Judges of the Supreme Court, Ex-Senators of the State Senate, District Judge and Attorney of the United States, members of other State Legislatures, Clerk and Assistant Clerk of the House af Representatives, and the Secretary of Civil and Military Affairs, and such ladies and gentlemen as the President or a Senator may introduce.

38.

When in session the Senators shall sit with their heads uncovered.

39.

Upon any disorderly conduct in the gallery, the President may order the same to be cleared.

40.

Whenever a bill or resolution is laid on the table, by order of the Senate, and shall have remained on the table twenty-four hours, it shall be subject to be taken up by the Chair, and presented for the consideration of the Senate, without a call or order on the subject.

41.

There shall be one Door-Keeper, one Assistant Door-Keeper, and two Messengers of the Senate.

42.

CHOICE OF SEATS.

At nine o'clock on the morning of the first day of the Senate, and before the session shall be called to order, the Secretary shall place in a box prepared for the purpose, fourteen ballots, designating by name the several counties in the State, and shall proceed to draw therefrom, impartially, one ballot at a time until all are drawn. And as each ballot is drawn, the Senator or Senators from the county designated by such ballot, shall, personally, if present, or may by proxy, if absent, select his or their seat or seats. If any Senator or Senators, from any county so drawn, should not be present, either personally or by proxy, at the time of such drawing, the county next drawn shall have preference.

43.

The subject matter of each and every bill and resolution shall be briefly indicated in its title by the mover; and every bill and resolution shall be properly folded, and the name of the mover legibly written at the bottom of the same, before its introduction.

44.

After the second reading of any Senate bill of public character, the Secretary shall cause not less than three hundred copies of the same to be forthwith printed for the use of the General Assembly, unless already printed, and he shall furnish five copies thereof to the Librarian.

45.

The President of the Senate shall appoint a special committee of five members, to whom shall be referred all proposals of amendment to the Constitution of the State.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed House bill entitled

H. 2. An act relating to the duties of the state's attorneys;

In the passage of which the concurrence of the Senate is requested.

The House have considered the report of the Committee of Conference upon the disagreeing votes of the two Houses upon the proposal of amendment made by the House to the report of the Joint Committee on Joint Rules,

And have adopted the same.

A House bill entitled

H. 2. An act relating to the duties of the state's attorneys;

Was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Cook called up joint resolution relating to final adjournment, and the same was adopted on the part of the Senate.

Mr. Dunton, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 14. An act to amend an act entitled, An act permitting parties in civil suits to challenge jurors;

Reported in favor of its passage.

Thereupon the third reading of the bill was *ordered* for to-morrow.

Mr. Woodhouse moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Henry introduced a bill entitled

S. 24. An act to repeal an act in amendment of chapter ninety-four of the General Statutes, approved Nov. 13, 1869;

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Thatcher moved that the Senate do now adjourn;

And the same was disagreed to.

On motion of Mr. Field, the Senate took a recess of five minutes.

At the expiration of the recess the President resumed the chair.

Mr. Safford moved that the Senate do now adjourn;

And the same was disagreed to.

Mr. Gleed offered the following resolution:

Resolved, That the Committee on Final Adjournment when appointed, be requested to report the earliest possible day, consistent with the business of the session, for final adjournment;

Which was read.

Mr. Henry moved that the resolution be *ordered* to lie;

And the same was agreed to.

Mr. Field moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Woodhouse moved that the Senate take up the resolution requesting the Committee on Final Adjournment to report the earliest possible day, consistent with the business of the session, for final adjournment;

Which was disagreed to.

Mr. Safford moved that the Committee on the Judiciary have leave to sit during the remainder of the afternoon session;

Objection being made,

The same was disagreed to.

Mr. Dana offered the following resolution:

Resolved, That so much of the Governor's message as relates to the extension of the Capitol be referred to the Joint Committee on the Library;

Which was read and adopted.

Mr. Peck moved that the Senate take a recess of five minutes;

Which was disagreed to.

On motion of Mr. Gleason the Senate adjourned at three o'clock and twenty-five minutes.

SATURDAY, OCTOBER 16, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Friday read and approved.

Mr. Henry offered the following resolution:

Resolved, That rule forty-five be amended by making the committee therein provided for to consist of seven Senators instead of five;

Which was read.

Mr. Gleed moved that rule thirty-four be suspended;

Which was agreed to, and the resolution was adopted.

Mr. Blodgett offered the following resolution, which was read and adopted:

Resolved, That when the Senate do adjourn, it be to Monday next, two o'clock afternoon.

The President announced the appointment of the following joint standing committees on the part of the Senate:

ON THE LIBRARY.

Mr. King of Rutland,
" Field of Windsor.

ON THE HOUSE OF CORRECTION.

Mr. Judevine of Essex,
" Woodhouse of Chittenden,
" Peck of Orange.

ON THE REFORM SCHOOL.

Mr. Start of Franklin,
" Blodgett of Caledonia,
" Paul of Windsor.

ON GAME AND FISHERIES.

Mr. Goodsell of Grand Isle,
" North of Addison,
" Safford of Franklin.

UNDER THE FOURTH JOINT RULE.

Mr. Thatcher of Bennington,
" Pember of Rutland,
" Robinson of Chittenden.

Also Special Committee on proposals of amendment to the Constitution:

Mr. Henry of Windsor,
" Dana of Addison,
" Gleed of Lamoille,
" Cook of Rutland,
" Dillingham of Washington,
" Darling of Caledonia,
" Dunton of Rutland.

Mr. Dwinell introduced a bill entitled

S. 25. An act to equalize taxation;

Which was read the first and second times, and referred to the Committee on the Grand List.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 24. An act to enable the town of Castleton to issue its bonds for the purpose of funding its indebtedness;

In the passage of which the concurrence of the Senate is requested.

A House bill entitled

H. 24. An act to enable the town of Castleton to issue its bonds for the purpose of funding its indebtedness;

Was read the first and second times, and referred to the Committee on Finance.

On motion of Mr. Dana the Senate took a recess until eleven o'clock.

At the expiration of the recess the President resumed the chair.

A bill entitled

S. 14. An act to amend an act entitled an act permitting parties in civil suits to challenge jurors;

Was read the third time and passed.

On motion of Mr. Henry the Senate adjourned at eleven o'clock and five minutes.

MONDAY, OCTOBER 18TH, 1880.

The Senate convened at two o'clock in the afternoon, pursuant to adjournment.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Saturday read and approved.

A message was received from the House of Representatives, by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution relating to final adjournment;

And have adopted the same in concurrence.

The House has appointed on its part as special joint committee on court expenses:

Mr. Abell of West Haven,
" Battell of Middlebury,
" Cobb of Strafford,
" Harvey of Topsham,
" Smith of St. Johnsbury.

Mr. Dana offered the following joint resolution,

Which was read and adopted on the part of the Senate:

Resolved by the Senate and House of Representatives, That a joint committee of three Senators and five Representatives be appointed by the presiding officers of the Senate and House of Representatives respectively, to take into consideration that portion of the Governor's message relating to re-districting the State into Congressional Districts; said committee being authorized to report by bill or otherwise.

The President announced as the joint committee, on the part of the Senate, under joint resolution relating to final adjournment,

Mr. Cook of Rutland,
" Brown of Orleans.

Mr. Safford introduced a bill entitled

S. 26. An act in relation to the collection of taxes;

Which was read the first and second times, and referred to the Committee on the Grand List.

Mr. Henry offered the following proposal of amendment to the Constitution, changing the membership of the House of Representatives:

Resolved by the Senate (two-thirds of the members thereof con-

curring), that the following article be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont viz.:

ARTICLE XXVIII.

SECTION 1. The House of Representatives shall consist of one hundred and fifty members, and shall be apportioned among the several counties of the State as nearly as may be according to the number of their respective inhabitants. An apportionment of the members of the House of Representatives and a division of the State into Representative Districts shall be made by the Legislature at the first session after the return of each United States census, which when made, shall remain unaltered until another census shall have been taken; but an apportionment for members of the House of Representatives and a division of the State into Representative Districts shall be made by the Legislature in 1884 according to the census of 1880 as nearly as may be.

SEC. 2. The members of the Legislature in 1884 shall have power to regulate by law the mode of balloting for members of the House of Representatives and to prescribe the means and the manner by which the result of the balloting shall be ascertained, and through which the members of the House of Representatives chosen shall be certified of their election;

Which was read, and referred to the Committee on Constitutional Amendments.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution in relation to amendment of the joint rules of the Senate and House of Representatives;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That there be added to the joint rules as

RULE 14,

the following:

After bills have passed both Houses and a certificate showing the one in which they respectively originated has been endorsed thereon, they shall be delivered to a joint standing committee of two Senators and two Members of the House of Representatives, to be appointed by the presiding officers of the two Houses respectively, to be designated the *Committee on Bills*, who shall make careful examination and see that they are correctly engrossed, both as regards to the original bill and all amendments thereto, and when satisfied of their

accuracy, shall present them to the Speaker of the House of Representatives and then to the President of the Senate for their official signatures and, having obtained them, they shall forthwith deliver them to the Governor for his approval, and shall make a true report to both Houses of the day on which each bill was delivered to the Governor; which shall be duly entered upon the journals of each House;

Which was read.

Mr. Dana moved that rule thirty-four be suspended and the resolution be adopted in concurrence.

Mr. Dwinell moved that the motion to suspend rule thirty-four and the resolution

Be *ordered* to lie and be made the special order for to-morrow morning at eleven o'clock;

Which was disagreed to.

The question recurring on the motion to suspend rule thirty four,

It was decided in the negative—yeas, 11; nays, 6.

The yeas and nays were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Henry,	Safford,
Dana,	Judevine,	Start,
Darling,	North,	Weed—11.
Gleed,	Peck,	

Those Senators who voted in the negative are Messrs.

Brown,	Dwinell,	Robinson,
Dillingham,	Lane,	Woodworth—6.

So the motion, failing to receive the requisite three-fourths vote of the members present,

Was disagreed to.

Thereupon the resolution was referred to the Committee on Joint Rules.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 16. An act to amend an act entitled, An act relating to court expenses and to criminal prosecutions, approved Nov. 27, 1878;

H. 17. An act simplifying indictments for murder and manslaughter;

H 23. An act to amend section one of an act entitled an act providing for the mortgage of personal property;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 1. An act entitled an act to amend section two of an act enti-

tled, An act relating to court expenses and criminal prosecutions, approved November 27, 1878;

And have passed the same in concurrence.

Mr. Gleed offered the following proposal of amendment to the Constitution, in relation to enabling towns to aid railroads:

Resolved by the Senate (two thirds of the members thereof concurring), That the following article be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont:

ARTICLE XXIX.

SECTION 1. The Legislature shall have no power to authorize a town to pledge its credit or to create any debt in aid of railroads;

Which was read, and referred to the Committee on Constitutional Amendments.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR PRESIDENT:

I am directed to inform the Senate that the House have adopted on their part a joint resolution relating to a joint assembly to complete the election of United States Senator;

In the adoption of which the concurrence of the Senate is requested.

Joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly in the Hall of the House of Representatives, at twelve o'clock meridian, on Wednesday, the 20th day of October, instant, for the purpose of completing the election of Senator of the United States for the State of Vermont for the full term of six years from, and including, the fourth day of March, A. D. 1881, as required by the act of Congress entitled, An act regulating the time and manner of holding elections for Senators in Congress, approved July 25, 1866:

Which was read and adopted in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 16. An act to amend an act entitled, An act relating to court expenses and to criminal prosecutions, approved Nov. 27, 1878;

H. 17. An act simplifying indictments for murder and manslaughter;

H. 23. An act to amend section one of an act entitled an act providing for the mortgage of personal property;

To the Committee on the Judiciary.

Mr. Safford asked and was granted leave of absence from to-morrow's session.

On motion of Mr. Dwinell the Senate adjourned at three o'clock and five minutes.

TUESDAY, OCTOBER 19TH, 1880.

Reading of the Scriptures and prayer by the Chaplain.
Journal of Monday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House has appointed the following joint standing committees on the part of the House:

COMMITTEE UNDER FOURTH JOINT RULE.

Mr. Sumner of Halifax,
" James of Weybridge,
" St. John of Hubbardton.

JOINT COMMITTEE ON LIBRARY.

Mr. Parker of Pownal,
" Priest of Barre,
" Haskell of Grafton.

JOINT COMMITTEE ON REFORM SCHOOL.

Mr. Merrifield of Newfane,
" Chapin of Middlesex,
" Richmond of Rochester,
" Grout of Concord,
" Leach of Sheldon.

JOINT COMMITTEE ON HOUSE OF CORRECTION.

Mr. Skinner of Barton,
" Mackenzie of Woodstock,
" Parker of Pownal,
" Button of Richford,
" Prouty of Marlboro.

JOINT COMMITTEE ON GAME AND FISHERIES.

Mr. Howe of Ludlow,
" Brainerd of St. Albans,
" Damon of Victory,
" Turner of Dover,
" Colton of Sherburne.

Mr. Woodhouse introduced a bill entitled

S. 27. An act in amendment of sections two and fifteen of chapter sixty-one of the General Statutes;

Which was read the first and second times, and referred to the Committee on Banks.

Mr. Robinson offered the following preamble and joint resolution:

WHEREAS, The reports of State officers have not been laid before the General Assembly, and

WHEREAS, This delay postpones proper legislation, lengthens the session, and increases State expenses, therefore

Resolved by the Senate and House of Representatives, That the Joint Committee on Final Adjournment be requested to inquire into the reason for this delay, and whether any additional legislation is necessary to secure the delivery of those reports on the first day of the future sessions and report by bill or otherwise;

Which was read and adopted on the part of the Senate.

Mr. Woodhouse introduced a bill entitled

S. 28. An act in relation to the investment of Trust Companies of their deposits and trust funds;

Which was read the first and second times, and referred to the Committee on Banks.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed a joint resolution originating in the Senate, of the following title, viz.:

Providing for the printing of additional copies of the Legislative Directory.

Mr. Gleed offered the following resolution:

Resolved, That the Treasurer of the State be requested to report to the Senate the salary of each Judge of the Probate Courts since 1870 and the several sums paid to the State Treasurer by each of said Judges since 1870;

Which was read and adopted.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT.

I am directed to inform the Senate that the House have on their part appointed the following named gentlemen as Joint Special Committee on Final Adjournment:

Mr. Clark of Windsor,
" Hubbard of Plymouth,
" Page of Rutland.

The House have considered joint resolution from the Senate relating to the Governor's message;

And have adopted the same in concurrence.

On motion of Mr. Dana the Senate took a recess of ten minutes.

At the expiration of the recess the President resumed the chair.

Mr. Gleason, from the Joint Committee on Joint Rules, to whom was referred joint resolution relating to the amendment of joint rules;

Reported recommending the adoption of the resolution;

Thereupon the resolution was adopted in concurrence.

Mr. Fuller introduced a bill entitled

S. 29. An act to pay George A. Hines the sum therein named;

Which was read the first and second times, and referred to the Committee on Claims.

On motion of Mr. Peck the Senate adjourned at eleven o'clock and ten minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution from the Senate to hear the report of the joint canvassing committee to canvass votes for members of Congress;

And have adopted the same in concurrence, with proposal of amendment;

In the adoption of which the concurrence of the Senate is requested.

Mr. Bridgman, from the Committee on the Judiciary, to whom was referred a bill entitled

H. 46. An act relating to the jurisdiction of the city court of the city of Burlington;

Reported in favor of its passage;

Thereupon the third reading of the bill was *ordered* for to morrow morning.

A joint resolution providing for a joint assembly to receive the report of the canvassing committee to canvass votes for members of Congress;

Was taken up, having been returned from the House with a proposal of amendment as follows:

By striking out the words "to-morrow afternoon" in the fourth line and inserting in lieu thereof the words *on Wednesday afternoon, October 20th;*

Which was concurred in.

The President laid before the Senate the following communication from the Sergeant-at-Arms:

HIS HONOR, JOHN L. BARSTOW,

President of the Senate:

SIR:—In pursuance of section seventy-nine, chapter eight of the General Statutes, I have appointed, subject to your approval, the following persons, officers of the Senate:

A. D. White, . . .	Door Keeper,
Charles S. Dana, . .	Assistant Door Keeper,
Wm. G. Stearns, . .	Messenger,
Julius B. North, . .	"

T. C. PHINNEY,

Sergeant-at-Arms.

SERGEANT-AT-ARMS' OFFICE,
MONTPELIER, October 19, 1880.

The President laid before the Senate the following communication from His Excellency the Governor with accompanying letter from General U. S. Grant:

To the President of the Senate:

SIR:—In compliance with the joint resolution of the two Houses, I conveyed to General Ulysses S. Grant personally, at Boston, Mass., the invitation of the Legislature asking him to visit Vermont as its guest at some convenient time during the present session. General Grant at that time accepted very cordially the invitation so extended to him, and named the week commencing October 24 as the time of his contemplated visit, the exact day to be fixed by him at an early date.

This morning, however, the Secretary of State has furnished me the following copy of a letter just received from General Grant, withdrawing his acceptance of the invitation of the Legislature, for reasons fully given in his letter. You undoubtedly regret, equally with myself, the final determination of General Grant not to visit Vermont at this time, for we would all be glad to testify, both personally and officially, our appreciation of his great services in his preservation of the liberties and unity of this republic. While we regret that he cannot visit this Legislature we hope that the citizens of Vermont will have the pleasure of meeting him at the Capital at some future day.

ROSWELL FARNHAM,
Governor.

LETTER FROM U. S. GRANT.

NEW YORK CITY, Oct. 18, 1880.

GEO. NICHOLS, ESQ.,

Secretary of State, (Vt.):

DEAR SIR:—I have the honor to acknowledge the receipt of the joint resolution of the two Houses of the Legislature of Vermont extending to me an invitation to visit the State of Vermont as a guest of the Legislature, which was handed to me in Boston.

I then said to His Excellency the Governor that I would accept for some day during the week commencing on the 24th inst., and that I would inform the Legislature of the exact day.

I now write to express my regret that I will not be able to accept the invitation so courteously extended, and to give the reason therefor: Nearly a year ago—and repeated again this fall—I received urgent invitations to visit a number of cities in the interior and western part of this State, all of which I have had to decline until this time. Now they are urgently repeated from Utica and Syracuse, and I have consented to spend several days at the two places in the course of next week.

This will take as much time as I can spare from here probably during the session of the Legislature of Vermont. I thank the Legtslature, however, for the compliment conferred by its invitation, and express the pleasure it would give me to visit Vermont.

Very respectfully yours,

U. S. GRANT.

Which were read and referred to the Committee under the Fourth Joint Rule, and on motion of Mr. Dana *ordered* to be printed.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution relating to reports of State officers;

And have adopted the same in concurrence.

Mr. Gleason, from the Committee on Joint Rules, to whom was referred a proposal of amendment to the Constitution changing the time of elections and meeting of the General Assembly;

Reported without an expression of opinion;

Thereupon the proposal of amendment was referred to the Committee on Constitutional Amendments.

At the hour of two and one-half o'clock the President announced that pursuant to the act of Congress approved July 25, A. D. 1866, and agreeably to a resolution of the Senate, the Senate would now proceed to vote for such person as they would elect to the office of Senator to represent this State in the Congress of the United States for the full term of six years from and including the fourth day of March, A. D. 1881.

Whereupon each Senator, as his name was called by the Secretary, rose in his place and voted *viva voce* as follows:

For GEORGE F. EDMUNDS, of Burlington.

Mr. Blodgett,	Mr. Fuller,	Mr. Peck,
" Bridgman,	" Gleason,	" Pember,
" Brown,	" Gleed,	" Robinson,
" Cook,	" Henry,	" Start,
" Dana,	" Judevine,	" Sykes,
" Darling,	" King,	" Thatcher,
" Dillingham,	" Lane,	" Weed,
" Dunton,	" North,	" Woodhouse,
" Dwinell,	" Paul,	" Woodworth.
" Field,		

Whereupon the President declared that George F. Edmunds had received a majority of all the votes cast in the Senate for the office of Senator to represent this State in the Congress of the United States for the full term of six years from and including the fourth day of March, A. D. 1881.

On motion of Mr. Dunton the Senate took a recess for thirty minutes.

The recess having expired, the President *pro tempore* resumed the chair.

Mr. Fuller, from the Committee on Finance, to whom was referred a House bill entitled

H. 24. An act to enable the town of Castleton to issue its bonds for the purpose of funding its indebtedness;

Reported in favor of its passage in concurrence;

Thereupon the third reading was *ordered* for to morrow morning at eleven o'clock.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a bill entitled

S. 4. An act to repeal a portion of chapter eighty-three of the General Statutes, relating to the grand list;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Bills of the following titles were severally reported from the various committees, to which they were referred, in favor of their passage:

By Mr. Start, from the Committee on the Judiciary,

S. 11. An act regulating the service of subpœnas;

By Mr. Henry, from the Committee on the Judiciary,

S. 17. An act to repeal an act to enable owners of lands to drain the same, approved November 19, 1868;

Thereupon the bills were ordered to be read the third time to-morrow forenoon.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Henry,

S. 30. An act in amendment of and in addition to section two of an act providing for a change of venue in certain cases, approved March 9, 1865;

To the Committee on State Prison.

By Mr. Paul,

S. 31. An act to prevent and suppress diseases among domestic animals;

To the Committee on Agriculture.

By Mr. Dunton,

S. 32. An act relating to change of venue;

To the Committee on the Judiciary.

Mr. Henry offered a joint resolution, as follows:

Resolved by the Senate and House of Representatives, That the Standing Committees of the Senate and House of Representatives on the State Prison be authorized and directed to jointly visit and inspect the State Prison at Windsor and to inquire into the sanitary condition of the prison and prisoners, and also if any further legislation is required for the welfare of the prison and to promote the discipline therein, said committee to report by bill or otherwise;

Which was read and adopted on the part of the Senate.

On motion of Mr. Bridgman the Senate adjourned at three o'clock and thirty-five minutes.

WEDNESDAY, OCTOBER 20TH, 1880.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

Mr. Bridgman offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Standing Committee of the Senate upon the Insane Asylum and the Standing Committee of the House upon the Insane be authorized and directed to jointly visit and inspect the Insane Asylum at Brattleboro, and inquire into the sanitary condition of the same and the inmates thereof, and to determine what legislation may be needed, if any, in relation to the management of the patients and institution, and report by bill or otherwise to their respective Houses;

Which was read and adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution from the Senate relating to the submitting of all bills to the Committee on the Revision of the Laws for the purposes named in the resolution;

And have adopted the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

Mr. North offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Joint Committee on the Reform School be authorized and directed to visit and inspect said school at Vergennes, and having made due inquiry concerning its management, needs and system of discipline, report by bill or otherwise;

Which was read and adopted on the part of the Senate.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dunton,

S. 33. An act to legalize the grand list of the town of Clarendon for the years 1878, 1879 and 1880;

To the Committee on Grand List.

By Mr. Dana,

S. 34. An act providing for the printing of the messages of the Governor and the Governor elect;

To the Committee on Printing.

By Mr. Henry,

S. 35. An act to pay Oscar E. Heald the sum therein named:

To the Committee on Claims.

By Mr. Gleason,

S. 36. An act granting certain rights to the proprietors of Piermont Bridge Company;

To the Committee on Highways, Bridges and Ferries.

By Mr. Paul,

S. 37. An act to repeal an act in amendment of an act to incorporate the Vermont State Agricultural Society;

To the Committee on Agriculture.

By Mr. Bridgman,

S. 38. An act in amendment of section four of chapter ninety-four of the General Statutes;

To the General Committee.

Mr. Blodgett offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Secretary of the Senate be directed to procure the printing of fifteen hundred copies of the proceedings of the Vermont Historical Society, October 19, 1880, and of the address of Hon. E. A. Sowles,

delivered before that Society and the General Assembly on the evening of said day, together with the address of E. J. Phelps, Esq., on the life and character of Hon. Samuel Prentiss, to be delivered before said Society at its adjourned meeting, to be disposed of as follows: To each member of the Senate and House of Representatives, one copy; to each Town Clerk, one copy; to each College, Normal School, Academy and Public Library in this State, one copy; to the Governor, each of the heads of departments and each Judge of the Supreme Court, one copy; to the Vermont Historical Society, four hundred copies; and the remainder to the State Library, subject to the control of the Trustees thereof;

Which was read and referred to the Committee on Printing.

Mr. Dana offered the following proposal of amendment of Article XXIV of the Constitution, changing the time of elections from biennially to annually:

Resolved, (two-thirds of the Senate concurring therein,) That the Senate propose to the House of Representatives that Article XXIV of the Constitution be amended so as to read as follows:

ARTICLE XXIV.

SECTION 1. The General Assembly shall meet on the first Wednesday of October, annually.

SEC. 2. The Governor, Lieutenant Governor, Treasurer of the State, Senators, Town Representatives, Assistant Judges of the County Court, Sheriffs, High Bailiffs, State's Attorneys, Judges of Probate and Justices of the Peace shall be elected annually, on the first Tuesday of September, in the manner prescribed by the Constitution of the State.

SEC. 3. The term of the office of the Governor, Lieutenant Governor and Treasurer of the State respectively shall commence when they shall be chosen and qualified, and shall continue for the time of one year, or until their successors shall be chosen and qualified, or to the adjournment of the session of the Legislature at which, by the Constitution and Laws, their successors are required to be chosen and not after such adjournment.

SEC. 4. The term of office of Senators and Town Representatives shall be one year, commencing on the first Wednesday of October following their election.

SEC. 5. The term of office of the Assistant Judges of the County Court, Sheriffs, High Bailiffs, State's Attorneys, Judges of Probate and Justices of the Peace shall be one year, and shall commence on the first day of December next after their election;

Which was read and referred to the Committee on Constitutional Amendments.

On motion of Mr. Lane the Senate took a recess of ten minutes.

At the expiration of the recess the President resumed the chair.

A House bill entitled

H. 24. An act to enable the town of Castleton to issue its bonds for the purpose of funding its indebtedness;

Was taken up, read the third time and passed in concurrence.

A House bill entitled

H. 46. An act relating to the jurisdiction of the city court of the city of Burlington;

Was taken up.

Mr. Dunton moved that the Senate propose to the House to amend the bill as follows:

Insert after the word "party" in the fourth line of the second section the words "*As defendant in cases mentioned in the preceding section and cases in which the city may be summoned as trustee;*"

Which was agreed to;

Thereupon the bill was read the third time and passed in concurrence, with proposal of amendment.

Bills of the following titles were severally taken up, read the third time and passed:

S. 11. An act regulating the service of subpœnas;

S. 17. An act to repeal an act to enable owners of lands to drain the same, approved November 19, 1868.

The report from the State Treasurer under joint resolution relating to salaries of the Judges of Probate and the amount of fees paid by them into the State Treasury was laid before the Senate by the President and on motion of Mr. Dana was *ordered* to lie and be printed.

(For report see Appendix.)

The President announced as the joint committee on the part of the Senate under the fourteenth joint rule,

Mr. Weed,
" Fuller.

On motion of Mr. Bridgman the Senate took a recess until eleven o'clock and fifty-five minutes.

The hour of recess having expired, the President resumed the chair.

At the hour of twelve o'clock, meridian, in pursuance of an act of Congress approved July 25, 1866, and agreeably to a joint resolution, the Senate repaired to the Hall of the House of Representatives to complete the election of United States Senator.

Having returned therefrom, on motion of Mr. Paul the Senate adjourned at twelve o'clock and twenty minutes.

AFTERNOON.

Mr. Gleed, from the Judiciary Committee, to whom was referred a bill entitled

S. 2. An act in relation to appeals in civil actions founded upon contracts;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Gleed, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 16. An act to amend an act entitled, An act relating to court expenses and criminal prosecutions, approved November 27, 1878;

Reported recommending that the Senate propose to the House to amend the bill as follows: By striking out of said bill all of *section one* and inserting in lieu thereof the following section:

SECTION 1. *Section three of an act entitled, An act relating to court expenses and to criminal prosecutions, approved November 27, 1878, is hereby repealed;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A joint resolution relating to the submitting of all bills to the Committee on the Revision of the Laws for the purposes named in the resolution;

Was taken up, having been returned from the House with proposals of amendment as follows:

By striking out of line two the words "shall before" and inserting in lieu thereof the word *after*, also by inserting after the word committee in line two the words *and ordered to be read the third time shall*, and by striking out the word "reported" in line eleven and inserting in lieu thereof the words *read the third time*;

Which was agreed to.

Mr. Safford, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 2. An act relating to the duties of the state's attorneys,

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, by inserting after the word attorney in line one, section one, the words *upon leave of the Presiding Judge endorsed thereon;*

Second, by adding a section:

SECTION 2. *It shall be the duty of the state's attorneys to file informations when so ordered by the court;*

Third, by changing the number of section "two" to section *three;*

Which were severally agreed to;

And the question being, Shall the bill be read the third time?

Mr. Dillingham demanded the yeas and nays;

Pending which on motion of Mr. Dwinell the bill was *ordered* to lie and be made the special order for to-morrow morning at eleven o'clock.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed a bill originating in the Senate, of the following title, viz.:

S. 1. An act to amend section two of an act entitled, An act relating to court expenses and criminal prosecutions, approved November 27, 1878.

The President *pro tempore* in the chair.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, a message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution from the Senate authorizing and directing the Standing Committees on State Prison to visit and inspect the same;

And have adopted the same in concurrence.

The House have passed bills of the following titles:

H. 37. An act to amend the act incorporating the Bennington Battle Monument Association, approved November 28, 1876;

H. 76. An act in relation to mortgages of personal property;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bill entitled

H. 46. An act relating to the jurisdiction of the city court of the city of Burlington;

And have concurred therein.

The House have considered Senate bill entitled,

S. 14. An act to amend an act entitled, An act permitting parties in civil suits to challenge jurors;

And have refused the same a third reading.

House bills of the following titled were severally read the first and second times, and referred as follows:

H. 37. An act to amend the act incorporating the Bennington Battle Monument Association, approved November 28, 1876:

To the General Committee.

H. 76. An act in relation to mortgages of personal property:

To the Committee on the Judiciary.

Mr. Safford offered the following proposal of amendment to the Constitution, relating to the eligibility of members of the Legislature to election by the Legislature:

Resolved by the Senate (two thirds of the members thereof concurring), that the following be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont;

That section twenty-six of part second of the Constitution be amended by adding thereto the following, that is to say:

"Nor shall any member of the Legislature be eligible to election "by the Legislature to any executive or judiciary office;"

Which was read and referred to the Committee on Constitutional Amendments.

Mr. Gleason, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 23. An act to amend section one of an act entitled an act providing for mortgages of personal property, approved November 26, 1878;

Reported in favor of its passage in concurrence;

Thereupon it was *ordered* to be read the third time to-morrow morning.

Mr. Dunton, from the Judiciary Committee, to whom was referred a bill entitled

S. 19. An act to punish the embezzlement of money belonging to the state and municipal corporations;

Reported recommending that the bill be amended as follows:

First, By inserting after the word "money," in the the third line of section one, the words *or property*.

Second, By inserting after the word "money," in the title, the words *or property*.

Which were severally agreed to;

Thereupon the bill was ordered to be read the third time to-morrow morning.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 17. An act simplifying indictments for murder and manslaughter;

Reported in favor of its passage in concurrence;

The question being, Shall the bill be read the third time? it was determined in the affirmative—yeas, 16; nays, 13.

Mr. Dillingham having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleason,	Pember,
Bridgman,	Gleed,	Safford,
Cook,	Judevine,	Start,
Darling,	King,	Sykes,
Dunton,	Peck,	Thatcher—16.
Dwinell,		

Those Senators who voted in the negative are Messrs.

Brown,	Henry,	Robinson,
Dana,	Lane,	Weed,
Dillingham,	North,	Woodhouse,
Field,	Paul,	Woodworth—13.
Goodsell,		

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Goodsell, from the Committee on Printing, to whom was referred a joint resolution relating to the Vermont Historical Society,

Reported recommending that the resolution be adopted on the part of the Senate.

Mr. Dana moved that the resolution be recommitted to the Committee on Printing;

Which was disagreed to.

Thereupon the resolution was adopted on the part of the Senate.

On motion of Mr. Thatcher the Senate adjourned at three o'clock and forty minutes.

THURSDAY, OCTOBER 21ST, 1880.

Reading of the Scriptures and prayer by Rev. J. E. Wright of Montpelier.

Journal of Wednesday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolutions from the Senate as follows:

Joint resolution authorizing the Joint Committee to visit and inspect the Reform School;

Joint resolution directing the Standing Committees of Senate and House on the Insane Asylum to visit the same for the purposes therein named;

And have adopted the same in concurrence.

A communication from the Governor relating to the American Asylum for the Deaf and Dumb was laid before the Senate by the President;

Read, and referred to the Committee under the Fourth Joint Rule.

Mr. Peck offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Joint Committee of the Senate and House on the House of Correction be directed to jointly visit and inspect the same at Rutland and to inquire into the sanitary condition of said House of Correction, and to make such further investigation as said committee may deem best, and to report to their respective Houses by bill or otherwise;

Which was read and adopted on the part of the Senate.

Mr. Woodworth introduced a bill entitled

S. 39. An act to repeal an act providing for the mortgage of personal property;

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Dwinell offered the following resolution, which was read and adopted:

Resolved, That the following table, prepared by the State Treasurer, be referred to the Committee on the Grand List for its consideration, and that the Secretary procure the printing of five hundred copies for the use of the General Assembly:

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution relating to the communication from U. S. Grant;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House, relating to the communication from U. S. Grant, as follows:

Resolved by the Senate and House of Representatives, That His Excellency the Governor is hereby requested to return a suitable reply to the letter of General U. S. Grant communicated to the Legislature with his message on the 19th instant, and therein express the regrets of the people of Vermont that they are not to have the opportunity at an early day to welcome to the Capital one to whom more than any other living man the hearts of the people go out in grateful and everlasting remembrance;

Was read and adopted in concurrence.

A House bill entitled

H. 2. An act relating to the duties of the state's attorneys,

Was taken up as a special order;

Thereupon, on motion of Mr. Dillingham, the bill was *ordered* to be recommitted to the Committee on the Judiciary.

Mr. Dunton offered a communication with accompanying resolution from Ex-Governor Fairbanks, relating to running railway trains on the Sabbath;

Which was read and referred to the Committee on Railroads.

On motion of Mr. Start the Senate adjourned at eleven o'clock and twenty minutes.

AFTERNOON.

Bills of the following titles were severally reported from the various committees, to which they were referred, in favor of their passage:

Thereupon the bills were severally read the third time and passed:

By Mr. Robinson, from the Committee on Education,

S. 6. An act to authorize the trustees of Chester Academy to convey the Academy and other property;

By Mr. Woodworth, from the General Committee,

S. 13. An act to incorporate the Vermont Steamboat Company;

By Mr. Pember, from the Committee on Agriculture,

S. 37. An act to repeal an act in amendment of an act to incorporate the Vermont State Agricultural Society;

By Mr. Dwinell, from the Committee on the Grand List,

S. 33. An act to legalize the grand list of the town of Clarendon for the years 1878, 1879 and 1880.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted joint resolutions as follows:

Joint resolution relating to the report of committee appointed by the Vermont State Teachers' Association on the State Normal Schools;

Joint resolution granting the use of the Hall of the House for the purpose therein named;

In the adoption of which the concurrence of the Senate is requested.

The House have considered joint resolution from the Senate on the House of Correction,

And have adopted the same in concurrence.

Mr. Lane, from the General Committee, to whom was referred a House bill entitled

H. 37. An act to amend the act incorporating the Bennington Battle Monument Association, approved November 28, 1876,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Paul, from the Committee on Agriculture, to whom was referred a bill entitled

S. 31. An act to prevent and suppress contagious diseases among domestic animals;

Reported recommending that the bill be amended as follows:

First, By inserting after the word "towns," in the first line of section two, the words, *and the board of Aldermen of the several cities in this State;*

Second, By inserting after the word "towns," in the seventh line of section two, the words, *and cities;*

Third, By striking out the words, "the Selectmen," after the word "by," in the twelfth line of section two, and inserting in lieu thereof the words, *such town or city authorities;*

Fourth, By inserting after word "towns," in the eighth line of section nine, the words, *or the board of Aldermen of the several cities;*

Which were severally agreed to;

Thereupon the bill was *ordered* to be read the third time on Tuesday afternoon next.

A House bill entitled

H 23. An act to amend section one of an act entitled an act providing for the mortgage of personal property;

Was taken up, read the third time and passed in concurrence;

Yeas, 19; nays, 8.

Mr. Dana having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Goodsell,	Peck,
Darling,	Henry,	Pember,
Billingham,	Judevine,	Start,
Dunton,	King,	Sykes,
Field,	Lane,	Thatcher,
Gleason,	Paul,	Woodhouse—19.
Gleed,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Dana,	Weed,
Brown,	Dwinell,	Woodworth—8.
Cook,	Robinson,	

So the bill was passed in concurrence.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed House bill entitled

H. 66. An act to repeal certain acts relating to the construction of the Sand Bar Bridge;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 3. An act authorizing the village of St. Johnsbury to re-fund its outstanding notes or bonds;

And have passed the same in concurrence.

The House have considered joint resolution from the Senate relating to the Vermont Historical Society;

And have adopted the same in concurrence, with proposal of amendment;

In the adoption of which the concurrence of the Senate is requested.

A House bill entitled

H. 17. An act simplifying indictments for murder and manslaughter;

Was taken up, read the third time and passed in concurrence; Yeas, 15; nays 12.

Mr. Dillingham having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Peck,
Bridgman,	Gleason,	Pember,
Brown,	Gleed,	Start,
Darling,	Judevine,	Sykes,
Dunton,	King,	Woodworth—15.

Those Senators who voted in the negative are Messrs.

Cook,	Goodsell,	Paul,
Dana,	Henry,	Robinson,
Dillingham,	Lane,	Weed.
Field,	North,	Woodhouse—12.

A House bill entitled

H. 16. An act to amend an act entitled, An act relating to court expenses and to criminal prosecutions, approved Nov. 27, 1878;

Was taken up, read the third time and passed in concurrence, with proposal of amendment.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to request the Senate to return to the possession of the House Senate bill entitled

S. 14. An act to amend an act entitled, An act permitting parties in civil suits to challenge jurors.

Mr. Dana moved that the Secretary return to the House, agreeably to their request, a bill entitled

S. 14 An act to amend an act entitled, An act permitting parties in civil suits to challenge jurors;

Which was agreed to.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to Job

Williams, Esq., Principal of the American Asylum for the Deaf and Dumb at Hartford, Conn., on October 27th, at two and one-half o'clock in the afternoon, that he may exhibit in presence of the members of the General Assembly the proficiency of his pupils and their capacity for receiving instruction, some of whom are beneficiaries of this State;

Was read and adopted in concurrence.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That there be printed, for the use of the General Assembly, the usual number of copies of the report of H. T. Fuller, C. C. Boynton and Gilbert A. Davis, a committee appointed by the Vermont State Teachers' Association, at Bellows Falls, August last, to report on the State Normal Schools to the General Assembly when next in session:

Was read and referred to the Committee on Printing.

Mr. Goodsell introduced a bill entitled

S. 40. An act laying a tax on the county of Grand Isle;

Which was read the first and second times, and referred to the General Committee.

A House bill entitled

H. 66. An act to repeal certain acts relating to the construction of Sand Bar Bridge;

Was read the first and second times, and referred to the Committee on Highways and Bridges.

On motion of Mr. Robinson the Senate adjourned at four o'clock and ten minutes.

FRIDAY, OCTOBER 22D, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

A joint resolution relating to the Vermont Historical Society having been returned from the House with a proposal of amendment as follows:

By striking out of lines three and four the words "fifteen hundred" and inserting in lieu thereof the words *twelve hundred and fifty;*

Was taken up.

Thereupon the proposal of amendment was concurred in.

Mr. Gleason introduced a bill entitled

S. 41. An act to encourage manufactures and to repeal certain acts therein mentioned;

Which was read the first and second times, and referred to the Committee on Manufactures;

Mr. Gleed introduced the following resolution:

Resolved, That the Committee on Claims be requested to return Senate bill number eight to the Senate without expression of opinion and that the bill be referred to the Committee on the Judiciary;

Which was adopted.

On motion of Mr. Thatcher the Senate took a recess of fifteen minutes.

At the expiration of the recess the President resumed the chair.

Mr. Start introduced a bill entitled

S. 42. An act relating to prudential committees of high and central schools;

Which was read the first and second times, and referred to the Committee on Education.

Bills of the following titles were severally reported by Mr Woodhouse from the Committee on Banks, recommending their passage:

S. 27. An act in amendment of sections two and fifteen of chapter sixty-one of the General Statutes;

S. 28. An act in relation to the investment by Trust Companies of their deposits and trust funds, etc.

Thereupon the bills were severally ordered to be read the third time Tuesday morning next.

On motion of Mr. Gleed the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 16. An act to amend an act entitled, An act relating to court expenses and to criminal prosecutions, approved Nov. 27, 1878;

And have refused to concur therein.

Mr. Safford, from the Committee on Printing, to whom was referred a joint resolution from the House relating to the report of committee appointed by the Vermont State Teachers' Association on the Normal Schools, reported recommending that the Senate propose to the House to amend the resolution by striking out all after the word "Representatives" in the second line and inserting in lieu thereof the following:

That the Clerk of the House procure to be printed, for the use of the General Assembly, four hundred copies of the report of H. T. Fuller, C. C. Boynton and Gilbert A. Davis, a committee appointed by the Vermont State Teachers' Association, in August last, to report on the State Normal Schools to the General Assembly when next in session;

Which was agreed to;

Thereupon the resolution was adopted in concurrence with proposal of amendment.

Mr. Field, from the Committee on Claims, to whom was referred a bill entitled

S. 8. An act to construe section three of An act to assess and tax railroads, approved November 28th, 1876, and to relieve towns misled thereby;

Reported without an expression of opinion, agreeably to a resolution relating thereto;

Thereupon the bill was referred to the Judiciary Committee.

Mr. Woodhouse introduced the following resolution:

Resolved, That the following tables, prepared by the State Treasurer, be referred to the Committee on the Grand List for its consideration, and that the Secretary procure the printing of five hundred copies for the use of the General Assembly:

Which was read and adopted.

(For tables see Appendix.)

The President laid before the Senate a communication from the Secretary of State, with accompanying document as follows:

STATE OF VERMONT.

OFFICE OF SECRETARY OF STATE,
MONTPELIER, October 22, 1880.

DEAR SIR:—I have the honor to transmit herewith a communication, received from the Superintendent of the 10th Census.

Very respectfully,
GEO. NICHOLS, *Secretary.*

HIS HONOR, JOHN L. BARSTOW,
President of the Senate.

DEPARTMENT OF THE INTERIOR,
CENSUS OFFICE,
WASHINGTON, D. C., October 18, 1880.

HON. GEORGE NICHOLS,
Secretary of State, Montpelier, Vt.:

SIR:—I have received from you, under date of October 14th, a certified copy of the resolution of the Senate and House of Repre-

sentatives of Vermont, requesting a copy of the census of that State; and in reply would say that it would give me great pleasure to afford the information desired, at the earliest moment practicable. But it has been found necessary to direct a re-enumeration of the town of Dorset, Vermont, which will delay for some two or three weeks, perhaps, the final completion of the enumeration.

Very respectfully yours,

H. A. WALKER, *Superintendent of Census.*

Which were read.

A Senate bill entitled

S. 19. An act to punish the embezzlement of money or property belonging to the State and municipal corporations,

Was taken up, and read the third time.

Mr. Dillingham moved to commit to a Senator to amend as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. *An officer or person who embezzles or fraudulently converts to his own use money or property belonging to a municipal corporation or the State shall be deemed guilty of the larceny of such money or property and punished accordingly;*

Which was agreed to.

Thereupon the bill was committed to the Senator from Washington to amend;

Who reported the same back amended agreeably to the instructions of the Senate.

Whereupon the bill was passed.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 48. An act to legalize the grand list of the town of Plymouth for the year 1879;

H. 49. An act to legalize the grand lists of the town of Newfane for the years 1877, 1878, 1879 and 1880;

H. 63. An act to legalize the grand list of the town of Bolton for the year 1878;

H. 81. An act to legalize the grand lists of the town of Mount Holly for the years 1879 and 1880;

In the passage of which the concurrence of the Senate is requested.

Mr. Lane, from the General Committee, to whom was referred a bill entitled

S. 5. An act to repeal an act entitled, An act in relation to the catching of fish in Maidstone Lake, in the county of Essex, approved November 26, A. D. 1878,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

House bills of the following titles were severally read the first and second times, and referred to the Committee on the Grand List:

H. 63. An act to legalize the grand list of the town of Bolton for the year 1878;

H. 81. An act to legalize the grand lists of the town of Mount Holly for the years 1879 and 1880;

H. 48. An act to legalize the grand lists of the town of Plymouth for the year 1879;

H. 49. An act to legalize the grand list of the town of Newfane for the years 1877, 1878, 1879, and 1780.

Mr. Woodhouse moved that when the Senate adjourn this afternoon it be until Monday next at two o'clock P. M.

Which was agreed to.

Mr. Pember, from the Committee on Highways, Bridges and Ferries, to whom was referred a bill entitled

H. 66. An act to repeal certain acts relating to the construction of the Sand Bar Bridge,

Reported in favor of its passage.

Mr. Safford moved that the bill be *ordered* to lie, and be made the special order for Wednesday next at eleven o'clock A. M.;

Which was agreed to.

On motion of Mr. Robinson the Senate adjourned at two o'clock and fifty minutes.

MONDAY, OCTOBER 25TH, 1880.

The Senate convened at two o'clock in the afternoon, pursuant to adjournment.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Friday read and approved.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 97. An act in addition to an act passed November 3, 1849, entitled, An act to incorporate the village of Bennington;

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part a joint resolution amending joint rule number fourteen, and they ask the Senate to concur in the adoption of the same.

A House bill entitled

H. 97. An act in addition to an act passed November 3, 1849, entitled, An act to incorporate the village of Bennington;

Was read the first and second times, and referred to the General Committee.

A joint resolution from the House of Representatives as follows:

Resolved by the Senate and House of Representatives, That joint rule fourteen be amended by striking out the words "and see that they are correctly engrossed, both as regards the original bill and all amendments thereto; and when satisfied of their accuracy shall" and inserting in lieu thereof the words *of all bills, both as regards the original bill and all amendments thereto, and shall see that all bills so ordered are correctly engrossed; and when satisfied of their accuracy some member of the committee shall so certify thereon, and shall then*,

Was read, and referred to the Committee on Joint Rules.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Safford,

S. 43. An act to regulate practice in the courts of chancery:

To the Committee on the Judiciary.

By Mr. Dana,

S. 44. An act in relation to persons confined in the State Prison:

To the Committee on State Prison.

By Mr. Pember,

S. 45. An act relating to the support of schools:

To the Committee on Education.

On motion of Mr. Dana the Senate took a recess of ten minutes.

The recess having expired, the President resumed the chair.

On motion of Mr. Henry the Senate adjourned at three o'clock and five minutes.

TUESDAY, OCTOBER 26TH, 1880.

Reading of Scripture and prayer by the Chaplain.

Journal of Monday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Peck,

S. 46. An act to amend sections ten and eleven of number ten of the public acts of 1866;

To the Joint Committee on Reform School.

By Mr. Bridgman,

S. 47. An act to amend and consolidate the charter and laws relating to the Bellows Falls Village Corporation:

To the General Committee.

By Mr. Dwinell (by request),

S. 48. An act to commute the sentence of Royal S. Carr;

To the Committee on the Judiciary.

The President announced as the committee on the part of the Senate under the joint resolution providing for the appointment of a joint committee to whom shall be referred all matters relating to a redistricting of the State into Congressional Districts:

Senator Dana of Addison,
" Woodworth of Franklin,
" Blodgett of Caledonia.

Mr. Safford, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 76. An act in amendment of an act providing for mortgages of personal property;

Reported recommending that the Senate propose to the House to amend the bill as follows:

By adding to section one the words, *or their assigns;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow afternoon.

Mr. Dillingham offered the following joint resolution,

Which was read and on motion of Mr. Henry *ordered* to lie.

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly on Thursday, the 28th day of October, 1880, at half-past two o'clock in the afternoon, for the purpose of electing Secretary of State, Auditor of Accounts, Sergeant-at-Arms, Adjutant and Inspector General, Quartermaster General, Judge Advocate General, State Superintendent of Education, three Supervisors of the Insane, four Trustees of the University of Vermont and State Agricultural College, three for the term of six years from December 1, 1881, and one to fill the vacancy occasioned by the death of Hon. Asahel Peck.

Mr. Gleed, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 39. An act to repeal an act entitled, An act providing for the, mortgages of personal property, approved November 26, 1878:

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Gleed offered the following resolution:

Resolved,. That the Committee on the Grand List be requested to inquire if the Grand List laws of the State are legally enforced; and whether any listers are guilty of perjury and if any reform is needed, and to report at as early a day as possible by bill or otherwise;

Which was read and adopted.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 12. An act laying a tax on the county of Windsor;

H. 20. An act to pay Nathan M. Johnson the sum therein named;

H. 74. An act to repeal chapter seventy-five of the General Statutes entitled, Of inspection of provisions and manufactures;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate proposal of amendment to joint resolution relating to the report of committee appointed by the Vermont State Teachers' Association on the State Normal Schools;

And have concurred therein.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 12. An act laying a tax on the county of Windsor;

To a select committee consisting of the Senators from Windsor county.

H. 20. An act to pay Nathan M. Johnson the sum therein named;

To the Committee on Claims.

H. 74. An act to repeal chapter seventy-five of the General Statutes entitled, Of inspection of provisions and manufactures;

To the Committee on Manufactures.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed a joint resolution originating in the Senate, of the following title, viz.:

Relating to the Vermont Historical Society.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Brown,

S. 49. An act in relation to the duties of the Adjutant and Inspector General;

To the Committee on Finance.

By Mr. Pember,

S. 50. An act in relation to the duties of town clerks;

To the Committee on the Judiciary.

Mr. Dana, from the Committee on the State Prison to whom was referred a bill entitled

S. 44. An act in relation to persons confined in State Prison,

Reported recommending its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

On motion of Mr. Safford the Senate adjourned at eleven o'clock and ten minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution providing for a joint assembly to canvass votes for County, Probate and District officers;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 11. An act entitled, An act to pay Thomas Sargeant, Jr., the sum therein named;

H. 59. An act to incorporate the Dorset Marble Company;

H. 92. An act in amendment of an act providing for the better preservation of the laws of the State, approved November 15, 1872;

In the passage of which the concurrence of the Senate is requested.

A bill entitled

S. 31. An act to prevent and suppress contagious diseases among domestic animals;

Was taken up.

On motion of Mr. Field *ordered* to lie and be made the special order for Thursday morning at eleven o'clock.

A bill entitled

S 28. An act in relation to the investment by trust companies of their deposits and trust funds, &c.;

Was taken up, and read the third time.

Mr. Gleed, from the Committee on Revision, moved that the bill be committed to a Senator to amend as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. *Moneys deposited in a savings bank or savings institution may be invested by such bank or institution, in the municipal bonds of cities of ten thousand or more inhabitants in the states of New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Wisconsin, Minnesota, Iowa and Missouri, in addition to the other securities in which such moneys may now by law be invested.*

Sec. 2. Moneys received by a trust company on deposit or in trust may be invested, in addition to the modes authorized in their respective charters, in such public funds, municipal bonds and bank stocks as the deposits in savings banks may by law be invested in.

Sec. 3. This act shall take effect from its passage.

Which was agreed to;

Thereupon the bill was committed to the Senator from Lamoille to amend;

Who reported the bill back amended, agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly in the Hall of the House of Representatives on Thursday, the 28th inst., at two and one-half o'clock P. M., to hear the report of the committee appointed to canvass votes for County and Probate District officials, and, if necessary, to complete the election of the same;

Was read, and on motion of Mr. Dana *ordered* to lie.

A bill entitled

S. 27. An act in amendment of sections two and fifteen of chapter sixty one of the General Statutes;

Was taken up, and read the third time.

Mr. Henry, from the Committee on Revision, moved that the bill be committed to a Senator to amend as follows:

First, by striking out the first seven lines of section one;

Second, by striking out of line eleven of section one the words "of this chapter," and inserting in lieu thereof the words *of the laws of this State providing for the formation of banks of circulation;*

Third, by striking out after the word "countersigned," in line twenty of section one, the words "as in this chapter is provided," and inserting in lieu thereof the words *as provided by law;*

Fourth, By inserting after section one the following section:

Sec. 2. Section two of chapter sixty one of the General Statutes, and section one of number two of the acts of 1878, *are hereby repealed;*

Fifth, by striking out the first three lines of section two;

Sixth, by striking out of line nine, section two, the words "prescribed in this chapter," and inserting in lieu thereof the words *provided in the laws of this State relating to such associations;*

Seventh, by adding to section two the following:

Such persons may by their articles of association provide for the increase of the capital stock and of the number of their associates, from time to time, as they think proper, but the aggregate capital shall not exceed the sum already specified;

Eighth, by inserting after section two the following section;

Sec. 4. Sections fifteen and twenty of chapter sixty one of the General Statutes, and sections three and five of number two of the acts of 1878, *are hereby repealed;*

Ninth, by changing the number of sections two and three to *three* and *five* respectively;

Which was agreed to;

Thereupon the bill was committed to the Senator from Windsor to amend agreeably to the instructions of the Senate.

Mr. Henry, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 24. An act to repeal an act in amendment of chapter ninety-four of the General Statutes, approved Nov. 13, 1869;

Reported in favor of its passage;

Thereupon, on motion of Mr. Bridgman, the bill was *ordered* to lie and be made the special order for to morrow morning at eleven o'clock.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 48. An act to legalize the grand list of the town of Plymouth for the year 1879;

Reported in favor of its passage in concurrence;

Thereupon the bill was refused a third reading.

Mr. Woodworth, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 49. An act to legalize the grand lists of the town of Newfane for the years 1877, 1878, 1879, and 1780,

Reported in favor of its passage in concurrence.

Mr. Fuller moved that the bill be *ordered* to lie;

And the same was agreed to.

Mr. Field moved to reconsider the vote refusing a third reading of House bill entitled

H. 48. An act to legalize the grand list of the town of Plymouth for the year 1879;

Which was agreed to;

Thereupon, on motion of Mr. Henry, the bill was *ordered* to lie.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 11. A bill entitled, An act to pay Thomas Sargent, Jr., the sum therein named;

To the Committee on Claims.

H. 59. An act to incorporate the Dorset Marble Company;

To the Committee on Manufactures.

H. 92. An act in amendment of an act providing for the better preservation of the laws of the State, approved November 15, 1872;

To the Committee on the Judiciary.

Mr. Blodgett, from the Committee on Banks, to whom was referred a bill entitled

S. 16. An act to amend an act entitled, An act to incorporate the Rutland County Trust Company, approved November 8, 1872;

Reported recommending the adoption of a substitute bill therefor;

Which was agreed to.

Thereupon a bill entitled

S. 51. An act to change the name of the Rutland County Trust

Company and to amend the act incorporating the same, approved November 8, 1872;

Was read the first and second times and *ordered* to be read the third time after the lapse of twenty-four hours, as provided for under the rules.

On motion of Mr. Start the Senate adjourned at three o'clock and twenty-five minutes.

WEDNESDAY, OCTOBER 27TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled:

H. 28. An act relating to grand and petit jurors;

In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Robinson,

S. 52. An act entitled, An act for the protection of indorsers;

To the Committee on the Judiciary.

By Mr. Henry,

S. 53. An act establishing the salaries of certain State officers;

To the Committee on Finance.

By Mr. Paul,

S. 54. An act to pay Gilbert A. Davis the sum therein named;

To the Committee on Claims.

By Mr. Dunton,

S. 55. An act in amendment of number sixty-four of the acts of 1876, relating to appeals from justices of the peace;

To the Committee on the Judiciary.

By Mr. Thatcher,

S. 56. An act in amendment of the charter of the Farmers' and Mechanics' Savings Institution and Trust Company;

To the Committee on Banks.

A bill entitled

S. 44. An act in relation to persons confined in the State Prison;

Was read the third time and passed.

Mr. Lane, from the Committee on Claims, to whom was referred a House bill entitled

H. 20. An act to pay Nathan M. Johnson the sum therein named;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

A House bill entitled

H. 28. An act relating to grand and petit jurors;

Was read the first and second times, and referred to the Committee on the Judiciary.

Mr. Henry, to whom was committed a bill entitled

S. 27. An act in amendment of sections two and fifteen of chapter sixty-one of the General Statutes,

For amendment,

Reported the same back amended agreeably to the instructions of the Senate.

Mr. Henry moved to commit the bill to a Senator for further amendment as follows, by adding after the word "circulation" in the eleventh line of section one the words, *discount and deposit;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Windsor to amend;

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. Gleason, from the Committee on Joint Rules, to whom was referred a joint resolution from the House amending joint rule fourteen,

Reported recommending the adoption of the same in concurrence;

Thereupon the resolution was adopted in concurrence.

A bill entitled

H. 66. An act to repeal certain acts relating to the construction of the Sand Bar Bridge;

Was taken up as a special order.

Mr. Safford moved that the bill be *ordered* to lie and be made a special order Thursday, November 4, at eleven o'clock in the forenoon;

Which was agreed to.

A bill entitled

S. 24. An act to repeal an act in amendment of chapter ninety-four of the General Statutes, approved November 13, 1869;

Was taken up as a special order.

The question being, Shall the bill be read the third time?

It was decided in the negative—yeas, 4: nays, 24.

Mr. Dana having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dunton,	Safford,	Woodhouse—4.
Henry,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Paul,
Bridgman,	Gleason,	Peck,
Brown,	Gleed,	Pember,
Cook,	Goodsell,	Robinson,
Dana,	Judevine,	Sykes,
Darling,	King,	Thatcher,
Dwinell,	Lane,	Weed,
Field,	North,	Woodworth—24.

So the third reading of the bill was refused.

On motion of Mr. Bridgman the Senate adjourned at eleven o'clock and forty-five minutes.

AFTERNOON.

Mr. North, from the Committee on Highways and Bridges, to whom was referred a bill entitled

S. 36. An act granting certain rights to the proprietors of Piermont Bridge Company;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

Mr. Peck, from the Committee on Manufactures, to whom was referred a House bill entitled

H. 74. An act to repeal chapter seventy-five of the General Statutes entitled, Of inspection of provisions and manufactures;

Reported in favor of its passage;

Thereupon, on motion of Mr. Dwinell, the bill was *ordered* to lie.

Mr. Gleason, from the Committee on the Judiciary, to whom was referred a House bill entitled

H. 2. An act relating to the duties of the state's attorneys;

Reported recommending that the Senate propose to the House to further amend the bill as follows:

First, by inserting after section two of the bill as amended the following section:

Sec. 3. *Section one of chapter one hundred and twenty of the General Statutes is hereby repealed;*

Second, by changing the number of section three of the bill as amended to section *four*.

Pending the adoption of which,

On motion of Mr. Safford, the bill was *ordered* to lie and be made the special order for to-morrow afternoon.

Mr. Sykes, from the Committee on Claims, to whom was referred a House bill entitled

H. 11. An act entitled, An act to pay Thomas Sargent, Jr., the sum therein named,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

A House bill entitled

H. 76. An act in amendment of an act providing for mortgages of personal property;

Was taken up, read the third time and passed in concurrence, with proposals of amendment.

A bill entitled

S. 51. An act to change the name of the Rutland County Trust Company, and to amend the act inorporating the same, approved November 8, 1872;

Was taken up, read the third time and passed.

Mr. Dunton, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 21. An act to establish a State Board of Health and Vital Statistics,

Reported without an expression of an opinion, and presented the following resolution:

Resolved, That Senate bill number twenty-one, entitled, An act to establish a State Board of Health and Vital Statistics, be referred to a special committee of three Senators, to be appointed by the President;

Which was read and adopted.

President *pro tempore* in the chair.

Mr. Gleason moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Bridgman moved that the Senate take a recess of thirty minutes;

Mr. Dwinell moved to amend by making the time sixty instead of thirty minntes;

Which was accepted, and the motion agreed to.

At the expiration of the recess the President *pro tempore* resumed the chair.

On motion of Mr. Woodhouse the Senate adjourned at three o'clock and thirty minutes.

THURSDAY, OCTOBER 28TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Safford,

S. 57. An act to repeal section three of chapter twenty nine of the General Statutes;

To the Committee on the Judiciary.

By Mr. Paul,

S. 58. An act to pay James G. Bates the sum therein named;

To the Committee on Claims.

By Mr. Cook,

S. 59. An act relating to freemen's meetings, and fixing a time after which no alterations can be made in a check list;

To the Committee on Elections.

By Mr. Dana,

S. 60. An act relating to the Military History of Vermont;

To the Committee on Military Affairs.

By Mr. Bridgman,

S. 61. An act to compel school districts to provide instruction for their legal scholars;

To the Committee on Education.

And the Secretary, on motion of Mr. Dana, was directed to procure the printing of five hundred copies of the same.

By Mr. Gleed,

S. 62. An act fixing the salary of the Judge of Probate in the district of Lamoille;

To the Committee on the Judiciary.

By Mr. Gleed (by request),

S. 63. An act to repeal an act to incorporate the village of Cabot;

To the General Committee.

By Mr. Paul,

An act vesting police powers, and punishing depredations upon fair grounds;

To the Committee on Agriculture.

By Mr. Safford,

S. 65. An act in relation to the resignation of judges of the supreme court;

To the Committee on Finance.

By Mr. North,

S. 66. An act to pay N. F. Dunshee the sum therein named;
To the Committee on Claims.

Mr. Henry offered the following joint resolution:

Resolved by the Senate and House of Representatives, That when the two Houses adjourn on Friday P. M., October 29, it be to meet on Wednesday, the 3d day of November, at two o'clock P. M.;

Which was read and adopted on the part of the Senate.

Mr. Dana offered the following proposal of amendment to the Constitution of the State, relating to filling vacancies in the House and Senate:

Resolved (two-thirds of the Senate concurring therein), That the Senate propose to the House of Representatives the following, to become when ratified a part of the Constitution of the State:

ARTICLE XXVII.

SECTION 1. Whenever any vacancy shall occur, from any cause, in the Senate or House of Representatives, the Governor may order a new election to fill such vacancy.

SEC. 2. The Legislature shall carry this article into effect by appropriate legislation.

Which was read, and referred to the Committee on Constitution Amendments.

Mr. Field, from the Committee on Claims, to whom was referred a bill entitled

S. 35. An act to pay Oscar E. Heald the sum therein named;

Reported recommending that the blank in the first section of said bill be filled by the words *twenty and* 20-100 *dollars;*

Which was agreed to;

Thereupon the bill was read the third time and passed.

Mr. Woodworth, from the Committee on the Grand List, to whom was referred a bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes entitled, Of the grand list,

Reported recommending that the bill be amended by striking out the first seven sections thereof, and further by renumbering the remaining sections;

Pending the adoption of which,

On motion of Mr. Dunton, the bill was *ordered* to lie, and be made the special order for Thursday, November 4th, at eleven o'clock in the forenoon.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bills of the following titles:

S. 37. An act to repeal an act in amendment of an act to incorporate the Vermont State Agricultural Society;

S. 6. An act to authorize the trustees of Chester Academy to convey the academy building and other property.

The House have considered a Senate bill entitled

S. 11. An act regulating the service of subpœnas;

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 131. An act laying a tax on the county of Lamoille,

In the passage of which the concurrence of the Senate is requested.

A bill entitled

S. 31. An act to prevent and suppress contagious diseases among domestic animals;

Was taken up as a special order, and read the third time.

Mr. Dana moved that the bill be committed to a Senator to amend as follows:

By inserting after the word "animals," in the third line of section four, the words *believed to be infected with any contagious disease, or having been exposed thereto;*

Which was agreed to.

Thereupon the bill was committed to the Senator from Addison to amend;

Who reported the same back amended, agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. Safford, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 50. An act in relation to the duties of town clerks;

Reported recommending that the bill be amended as follows:

First, by inserting after the word "clerk," in the first line of section one, the words *and city clerk;*

Second, by inserting after the word "taxes," in the third line of section one, the words *first constable;*

Which was agreed to.

Mr. Gleed moved to further amend the bill by striking out the word "clerk" in the first line of section one;

Which was agreed to.

Mr. Pember moved that the bill be amended by inserting after the word "town," in the fourth line of section one, the words *or city;*

Which was agreed to.

Mr. Dana moved to further amend the bill by striking out of line three, section one, the words *collector of taxes;*

Which was disagreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Sykes, from the General Committee, to whom was referred a bill entitled

S. 23. An act to amend sections ten and twelve of the Session Laws of 1876 entitled, An act concerning dogs, and for the protection of sheep and other domestic animals;

Reported recommending that the bill be amended by striking out the first section, and renumbering section two;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Cook offered the following joint preamble and resolution:

Whereas, In the message of the Governor and the reports of the Commissioner of the Insane, there are recommendations for the enactment of laws in relation to the care of the convict insane, Therefore

Resolved, That the Committee on the Insane Asylum are authorized, in the investigation of this subject, to visit the several penal institutions of this State (and the insane asylums at Concord, New Hampshire, and Northampton, Massachusetts);

Which was read.

Mr. Field moved to amend the resolution by striking out the words "and the asylums at Concord, New Hampshire, and Northampton, Massachusetts;"

Which was agreed to—yeas, 16; nays, 10.

Mr. Henry having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Brown,	Fuller,	Pember,
Dana,	Gleason,	Robinson,
Darling,	Lane,	Start,
Dillingham,	North,	Weed,
Dwinell,	Paul,	Woodworth—16.
Field,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Goodsell,	Safford,
Bridgman,	Henry,	Sykes,
Cook,	King,	Thatcher—10.
Dunton,		

So the amendment was agreed to;

Thereupon the resolution as amended was adopted on the part of the Senate.

On motion of Mr. Dana the Senate adjourned at twelve o'clock and five minutes.

AFTERNOON.

Mr. Field offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Auditor of Accounts be directed to draw an order on the Treasurer for the sum of fifty-four and 50-100 dollars in payment of the expenses of Job Williams and party, who gave an exhibition of deaf and dumb scholars before the General Assembly on the 27th instant:

Which was read and adopted on the part of the Senate.

Mr. Blodgett, from the Committee on Banks, to whom was referred a bill entitled

S. 56. An act in amendment of the charter of the Farmers' and Mechanics' Savings Institutions and Trust Company:

Reported in favor of its passage:

Thereupon the bill was read the third time and passed.

The President announced as the committee under a resolution providing for a special committee to whom should be referred a bill entitled

S. 21. An act to establish a State Board of Health and Vital Statistics,

Mr. Cook of Rutland,
" Dillingham of Washington,
" Woodhouse of Chittenden.

A House bill entitled

H. 2. An act in relation to the duties of state's attorneys:

Was taken up as a special order.

Thereupon the amendments proposed by the committee were agreed to;

Mr. Dillingham moved to further amend the bill by striking out all of section one after the word "indictments" in the seventh line;

Which was agreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A House bill entitled

H. 131. An act laying a tax on the county of Lamoille;

Was read the first and second times and referred to a select committee consisting of the Senator from Lamoille County.

A bill entitled

S. 11. An act regulating the service of subpœnas;

Was taken up, having been returned from the House with the following proposals of amendment:

First, by inserting, in line eight, after the word "summoned," the words, *or by delivering to such person an attested copy of such subpœna;*

Second, by inserting after the word "him," in the same line, the words, *in civil causes;*

Third, by inserting after the word "law," in the eleventh line of said section, the following words, *and when served by copy the officer making such service shall be allowed ten cents for each copy instead of six cents now allowed for each reading;*

Which were concurred in.

Mr. Safford offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly at half-past two o'clock in the afternoon on Thursday, the 4th day of November, 1880, for the purpose of electing a chief justice and six associate justices of the supreme court;

Which was read and adopted on the part of the Senate.

Mr. Woodworth introduced a bill entitled

S. 67. An act for the protection of domestic animals;

Which was read the first and second times, and referred to the Committee on Agriculture.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed a bill originating in the Senate, of the following title, viz.:

S. 3. An act authorizing the village of St. Johnsbury to refund its outstanding notes or bonds:

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution from the Senate relating to adjournment of the two Houses,

And have adopted the same in concurrence.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 3. An act authorizing the village of St. Johnsbury to refund its outstanding notes or bonds;

S. 6. An act to authorize the trustees of Chester Academy to convey the academy building and other property;

S. 37. An act to repeal an act in amendment of an act to incorporate the Vermont State Agricultural Society.

W. A. WEED,
For the Committee.

On motion of Mr. Woodworth the Senate adjourned.

FRIDAY, OCTOBER 29TH. 1880.

President *pro tempore* in the chair.

Reading of Scripture and prayer by the Chaplain.

Journal of Thursday read and approved.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 76. An act in relation to mortgage of personal property:

And have concurred therein.

The House have passed bills of the following titles:

H. 95. An act to amend section twenty-five of chapter twenty-two of the General Statutes;

H. 109. An act abolishing counsel fees in certain cases;

In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally introduced, read the first and second times and referred as follows:

By Mr. Gleason,

S. 68. An act in relation to attachments of personal property;

To the Committee on the Judiciary.

By Mr. Woodworth,

S. 69. An act to incorporate the Enosburgh Falls Savings Bank:

To the Committee on Banks.

By Mr. Peck, (by request).

S. 70. An act to change the name of the town of Ely to that of Vershire and to repeal an act entitled, "An act altering the name of the town of Vershire to that of Ely, approved November 26, 1878;

On motion of Mr. Peck, to a special committee of three Senators consisting of

Mr. Weed,
" Goodsell,
" Sykes.

By Mr. North,

S. 71. An act to pay I. M. Tripp, Administrator of George R. Chapman's estate, the sum therein named.

To the Committee on Claims.

By Mr. Gleason,

S. 72. An act in relation to levy of execution on personal property;

To the Committee on the Judiciary.

By Mr. Field,
S. 73. An act to exempt property from taxation;
To the Committee on the Grand List.

By Mr. Dunton,
S. 74. An act relating to taxation;
To the Committee on the Grand List.

By Mr. King,
S. 75. An act to pay the Rutland County National Bank the sum therein named:
To the Committee on Claims.

By Mr. Peck,
S. 76. An act to pay Luke Parish the sum therein named:
To the Committee on Claims.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 95. An act to amend section twenty-five, of chapter twenty-two of the General Statutes;
To the Committee on Education.

H. 109. An act abolishing counsel fees in certain cases;
To the Committee on the Judiciary.

Mr. Peck presented the petition of T. J. Sargent and one hundred and twelve others, taxpayers of Brookfield, relating to the equalization of taxation;
Which was read and referred to the Committee on Grand List.

A bill entitled
S. 50. An act relating to the duties of town clerks;
Was read the third time and passed.

A House bill entitled
H. 2. An act relating to the duties of the state's attorneys,
Was read the third time and passed in concurrence with proposal of amendment.

Mr. Lane, from the General Committee, to whom was referred a bill entitled
S. 40. An act laying a tax on the county of Grand Isle;
Reported in favor of its passage;
Thereupon the third reading was *ordered* for Wednesday afternoon next.

Mr. Gleason, from the Committee on the Judiciary, to whom was referred a House bill entitled
H. 28. An act relating to grand and petit jurors;
Reported in favor of its passage;
Thereupon, on motion of Mr. Dana, the bill was *ordered* to lie and be made the special order for Thursday afternoon next.

Mr. Start, from the Committee on the Judiciary, to whom was referred a bill entitled
S. 32. An act relating to change of venue in criminal causes;
Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time Wednesday afternoon next.

On motion of Mr. Woodhouse the Senate adjourned.

AFTERNOON.

A bill entitled

S. 23. An act to amend sections ten and twelve of the Session Laws of 1876 entitled, An act concerning dogs, and for the protection of sheep and other domestic animals,

Was read the third time.

Mr. Dillingham, from the Committee on the Revision of the Laws, moved that the bill be committed to a Senator to amend as follows:

By striking out all after the enacting clause, and inserting the following:

SECTION 1. Moneys received by the treasurer of a city or town for dog licenses, or as penalties for violations of law relating to the licensing of dogs, which is not paid out for expenses of enforcing said law or as compensation for damages done by dogs, may be applied to the payment of any city or town expenses after the first Wednesday of January in each year.

SEC. 2. That portion of section twelve of number sixteen of the acts of 1876 which reads "moneys received by the treasurer of a city or town under the provisions of this act, and not expended in accordance with its provisions, may be applied to the payment of any city or town expenses," is hereby repealed.

Which was agreed to.

Thereupon the bill was submitted to the Senator from Washington to amend;

Who reported the same back amended, agreeably to the instructions of the Senate.

Mr. Paul moved that the bill be committed to a Senator to further amend by striking out the following words and figures in the title of the bill, viz., "sections 10 and" and inserting in lieu thereof the word *section;*

Which was agreed to.

Thereupon the bill was committed to the Senator from Windsor to amend;

Who reported the bill back amended, agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. Field moved that the Senate take a recess of ten minutes;

Which was agreed to.

At the expiration of the recess the President *pro tempore* resumed the chair.

The Committee on Bills submit the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bill, and have this day presented the same to the Governor for his approval:

S. 11. An act regulating the service of subpœnas.

W. A. WEED,
For Committee.

On motion of Mr. Dillingham the Senate adjourned at two o'clock and forty minutes.

WEDNESDAY, NOVEMBER 3D, 1880.

The Senate convened at two o'clock in the afternoon, pursuant to adjournment.

Reading of Scriptures and prayer by Rev. I. P. Booth, the member from Morristown.

Journal of Friday read and approved.

A message was received from the House of Representatives by Mr. Stickney, their First Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 54. An act to pay Edwin Horton the sum therein named;

H. 65. An act to change the names of Emma Jane Caswell and Nelson Austin Caswell to Emma Jane Walter and Nelson Austin Walter, and constituting them heirs at-law of Amasa Walter;

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes;

H. 129. An act to authorize the town of Rutland to refund its outstanding debts or bonds,

H. 130. An act authorizing the towns therein mentioned to fund their present indebtedness,

H. 141. An act relating to the service of extents;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 19. An act to punish the embezzlement of money or property belonging to the State and municipal corporations;

And have passed the same in concurrence.

The House have considered a joint resolution originating in the Senate in relation to paying the expenses of Job Williams and party;

And have adopted the same in concurrence.

The House have considered Senate bill entitled

S. 33. An act to legalize the grand lists of the town of Clarendon for the years 1878, 1879 and 1880;

And have passed the same in concurrence.

Bills of the following titles were severally read the third time and passed:

S. 32. An act relating to change of venue;

S. 40. An act laying a tax on the county of Grand Isle.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 54. An act to pay Edwin Horton the sum therein named;

To the Committee on Claims.

H. 65. An act to change the names of Emma Jane Caswell and Nelson Austin Caswell to Emma Jane Walter and Nelson Austin Walter, and make them heirs-at-law of Amasa Walter;

To the General Committee.

H. 112. An act in amendment of section forty-nine of chapter thirty one of the General Statutes;

To the Committee on the Judiciary.

H. 129. An act to authorize the town of Rutland to refund its outstanding notes or bonds;

To the Committee on Finance.

H. 130. An act authorizing the towns therein mentioned to fund their present indebtedness;

To the Committee on Finance;

And the Secretary, on motion of Mr. Dana, was directed to procure the printing of the usual number of copies for the use of the General Assembly.

H. 141. An act relating to the service of extents;

To the Committee on the Judiciary.

Mr. Dunton offered the following resolution:

Resolved, That the Committee on the Judiciary be and are hereby requested to make investigation and report by bill or otherwise, whether municipal corporations cannot by general act be authorized to fund their indebtedness and issue bonds therefor;

Which was read and adopted.

A House bill entitled

H. 74. An act to repeal chapter seventy-five of the General Statutes entitled, Of inspection of provisions and manufactures:

Was taken up, and Mr. Brown moved that the bill be *ordered* to lie;

Which was disagreed to.

The question being, Shall the bill be read the third time?

On motion of Mr. Gleed the same was *ordered* to lie.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has approved and signed, Oct. 28, bills originating in the Senate, of the following titles, viz.:

S. 6. An act to authorize the trustees of Chester Academy to convey the academy building and other property;

S. 37. An act to repeal an act in amendment of an act to incorporate the Vermont State Agricultural Society.

Mr. Gleed, from the select committee, to whom was referred a House bill entitled

H. 131. An act laying a tax on the county of Lamoille,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Dunton introduced a bill entitled

S. 77. An act to abate and suppress nuisances;

Which was read the first and second times, and referred to the Committee on the Judiciary.

On motion of Mr. Peck the Senate adjourned at three o'clock and ten minutes.

THURSDAY, NOVEMBER 4TH, 1880.

Reading of Scripture and prayer by the Chaplain.

Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Safford,

S. 78. An act to amend section six of chapter eighty-three of the General Statutes;

To the Committee on the Judiciary.

By Mr. Goodsell,

S. 79. An act to enable the Sand Bar Bridge Company to issue preferred stock for the purpose of building a highway and bridge;

To the Committee on Highways and Bridges.

By Mr. Gleason,

S. 80. An act allowing the libelant and libelee in cases of divorce to be witnesses;

To the Committee on the Judiciary.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a bill entitled

S 73. An act to exempt property from taxation,

Reported the same back to the Senate without an expression of opinion;

And on motion of Mr. Gleed *ordered* to lie.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed a bill originating in the Senate, of the following title, viz.:

S. 11. An act regulating the service of subpœnas.

On motion of Mr. Fuller a House bill entitled

H. 49. An act to legalize the grand lists of the town of Newfane for the years 1877, 1878, 1879 and 1780,

Was taken up, and recommitted to the Committee on the Grand List.

On motion of Mr. Field a House bill entitled

H. 48. An act to legalize the grand list of the town of Plymouth for the year 1879,

Was taken up, and recommitted to the Committee on the Grand List.

Mr. North, from the Committee on Claims, to whom was referred a House bill entitled

H. 54. An act to pay Edwin Horton the sum therein named,

Reported recommending the passage of the same in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

A House bill entitled

H. 66. An act to repeal certain acts relating to the construction of the Sand Bar Bridge,

Was taken up as a special order;

And on motion of Mr. Safford *ordered* recommitted to the Committee on Highways and Bridges.

A bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes entitled, Of the grand list,

Was taken up as a special order.

The question being, Will the Senate adopt the amendments proposed by the committee? the same was agreed to.

Mr. Dwinell moved to further amend the bill by adding to section eight of the original bill the following:

But for the purposes of such distribution the population of the town of Wheelock shall be regarded as being only such fraction of the actual population as the amount of the polls and personal estate set in the grand list of such town for town purposes is of the whole list of the town;

Which was agreed to.

Mr. Gleed moved that the bill be *ordered* to lie and be made the special order for this afternoon at two o'clock and fifteen minutes;

Which was agreed to.

On motion of Mr. Lane the Senate adjourned at eleven o'clock and forty minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bill entitled

S. 13. An act to incorporate the Vermont Steamboat Company;

And have passed the same in concurrence.

The House have on their part appointed as Joint Special Committee to take into consideration the contemplation of changes in Congressional Districts:

Mr. Smith of St. Johnsbury,
" Brainerd of St. Albans,
" Hooker of Brattleboro,
" Scranton of Vergennes,
" Mackenzie of Woodstock.

The House have considered joint resolution from the Senate providing for joint assembly for election of judges of the supreme court;

And have adopted the same in concurrence with a proposal of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate proposal of amendment to House bill entitled

H. 2. An act relating to the duties of state's attorneys;

And have refused to concur therein.

A House bill entitled

H. 28. An act relating to grand and petit jurors;

Was taken up as a special order, and the third reading refused.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate of the following titles, viz.:

S. 33. An act to legalize the grand lists of the town of Clarendon for the years 1878, 1879 and 1880;

S. 19. An act to punish the embezzlement of money or property belonging to the State and municipal corporations;

Also a joint resolution in relation to paying the expenses of Job Williams and party.

Mr. Dwinell presented the remonstrance of Hiram Wells and sixty others relating to the bill repealing the charter of the village of Cabot;

Which was referred to the General Committee.

A bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes entitled, Of the grand list,

Was taken up as a special order, discussed, and on motion of Mr. Blodgett *ordered* to lie and be made the special order for Saturday forenoon at ten and one-half o'clock.

Bills of the following titles were severally introduced read the first and second times, and referred as follows:

By Mr. King,

S. 81. An act to pay Tuttle & Company of Rutland the sum therein named;

To the Joint Committee on the Library.

By Mr. Weed,

S. 82. An act relating to the discharge of mortgages;

To the Committee on the Judiciary.

By Mr. Start,

S. 83. An act simplifying indictments and informations for perjury and subornation of perjury;

To the Committee on the Judiciary.

By Mr. Gleason,

S. 84. An act to incorporate the Strafford Mining Company;

To the Committee on Manufactures.

A joint resolution providing for a joint assembly to elect justices of the supreme court having been returned from the House with the following proposal of amendment:

By striking out the words, "4th day of November," and inserting in lieu thereof the words, 11*th day of November;*

The same was concurred in.

Mr. Dana offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Superintendent of the Census at Washington, D. C., be requested to

transmit to the Secretary of State, at the earliest day possible, an official statement of the census of Vermont, taken in 1880;

Which was read and adopted on the part of the Senate.

Mr. Dunton, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 20. An act in amendment of and in addition to section thirty-four of chapter forty-eight of the General Statutes;

Reported adversely to its passage;

Thereupon the bill was refused a third reading.

Mr. Thatcher, from the Committee on Finance, to whom was referred House bill entitled

H. 130. An act authorizing the towns therein mentioned to fund their present indebtedness;

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, by inserting after the word "Bennington," in line two of section four, the words, *except the selectmen of Mount Tabor, who shall apply to the County Clerk of Rutland county;*

Second, by adding after the word "coupons," in line eight of section five, the words, *or bonds;*

Third, by striking out the last three words, "and all bonds," of section five;

Which were agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Bridgman moved to reconsider the vote refusing a third reading to a House bill entitled

H. 28. An act relating to grand and petit jurors;

And that the vote to reconsider be *ordered* to lie;

Which was agreed to.

The Committee on Bills submit the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 19. An act to punish the embezzlement of money or property belonging to the State and municipal corporations;

S. 33. An act to legalize the grand lists of the town of Clarendon for the years 1878, 1879 and 1880;

S. 13. An act to incorporate the Vermont Steamboat Company.

WALTER A. WEED,
For Committee.

On motion of Mr. Dunton the Senate adjourned at three o'clock and twenty minutes.

FRIDAY, NOVEMBER 5TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

Mr. Woodworth introduced a bill entitled

S. 85. An act to change the name of Nathan Philo Carson to Nathan Philo Ladd;

Which was read the first and second times, and referred to the General Committee.

Mr. Peck presented the petition of C. B. Smith and two hundred thirty-two others, taxpayers of the town of Tunbridge, relating to taxation;

And the same was referred to the Committee on the Grand List.

A House bill entitled

H. 130. An act authorizing the towns therein mentioned to fund their present indebtedness,

Was read the third time and passed in concurrence with proposals of amendment.

Mr. Gleed, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 8. An act to construe section three of An act to assess and tax railroads, approved November 28th, 1876, and to relieve towns misled thereby;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Thatcher, from the Committee on Finance, to whom was referred a House bill entitled

H. 129. An act to authorize the town of Rutland to refund its outstanding notes or bonds;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Henry, from the Select Committee, to whom was referred a House bill entitled

H. 12. An act laying a tax on the county of Windsor;

Reported recommending that the Senate propose to the House to amend the bill as follows:

By adding to section four the following words, *John Porter of Hartford, William H. Walker of Ludlow and Ora Paul of Pomfret are hereby appointed a committee to locate said building;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Safford, from the Committee on the Judiciary, to whom was referred House bill entitled

S. 55. An act in amendment of number sixty four of the acts of 1876, relating to appeals from justices of the peace;

Reported recommending that the bill be amended as follows:

By striking out the first three lines of section one and inserting in lieu thereof the following:

Act number sixty-four of the acts of 1876 *is hereby amended so as to read as follows:*

Which was agreed to;

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Gleason, from the Committee on the Judiciary, to whom was referred House bill entitled

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes,

Reported recommending that the bill be amended as follows:

By inserting after the word "affinity," in the ninth line of section one, the words, *or is otherwise disqualified in the opinion of the justice holding the court.*

Mr. Henry moved to amend the amendment proposed by the committee as follows:

By striking out the word "or," the first word of said amendment, and inserting in lieu thereof the words, *and in cases arising under chapter ninety-four of the General Statutes and act number thirty-three of the laws of* 1876, *entitled, An act to abate and suppress nuisances;*

Which was agreed to;

Whereupon the question being, Will the Senate adopt the amendment proposed by the committee as amended?

The same was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

On motion of Mr. Bridgman the Senate adjourned at twelve o'clock and five minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered a joint resolution from the Senate relating to the census,

And have adopted the same in concurrence.

The House have considered a joint resolution from the Senate relating to the Committee on the Insane,

And refuse to concur therein.

Mr. Lane, from the Committee on Claims, to whom was referred a bill entitled

S. 71. An act to pay I. M. Tripp, Administrator of George R. Chapman's estate, the sum therein named,

Reported recommending that the blank in the first section of the bill be filled by the words, *thirty and* 27-100 ;

Which was agreed to;

Thereupon the bill was read the third time and passed.

Mr. Bridgman, from the Judiciary Committee, to whom was referred a House bill entitled

H. 141. An act relating to the service of extents,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Woodworth, from the General Committee, to whom was referred a bill entitled

S. 38. An act in amendment of section four of the General Statutes, relating to the appointment of town agents for the sale of liquors,

Reported the same without an expression of opinion;

Thereupon on motion of Mr. Bridgman the bill was *ordered* to lie and be made the special order for Tuesday next at two and one-half o'clock in the afternoon.

Mr. Bridgman called up the motion to reconsider the vote refusing a third reading to a House bill entitled

H. 28. An act relating to grand and petit jurors;

And the motion to reconsider was agreed to;

Thereupon on motion of Mr. Bridgman the bill was recommitted to the Committee on the Judiciary.

Mr. Dunton, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 62. An act relating to the salary of the Judge of the Probate Court in the district of Lamoille;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 63. An act to legalize the grand list of the town of Bolton for the year 1878,

Reported without an expression of opinion;

Thereupon the bill was refused a third reading.

Mr. Woodworth, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 48. An act to legalize the grand list of the town of Plymouth for the year 1879;

Reported recommending that the bill be amended as follows:

By striking out of lines four and five of section one the words "town, school, and highway:"

Which was disagreed to.

Mr. Dillingham moved that the bill be amended by striking out after the word "year," in the fourth line, the words "and all town, school, and highway taxes assessed thereon are hereby declared legal and valid:"

Which was agreed to:

Thereupon the bill was read the third time and passed in concurrence, with proposals of amendment.

Mr. Henry, from the Judiciary Committee, to whom was referred a bill entitled

S. 57. An act to repeal section three of chapter twenty nine of the General Statutes;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Safford introduced a bill entitled

S. 86. An act to repeal act number fifty-nine of the laws of 1868;

Which was read the first and second times, and referred to the Joint Committee on Game and Fisheries.

Mr. Darling, from the Committee on Education, to whom was referred a bill entitled

S. 59. An act relating to freemen's meetings, and fixing a time after which no alterations can be made in a check-list;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the folling titles:

H. 87. An act to pay Robbins & Marsh the sum therein named;

H. 124. An act to levy a tax on the county of Washington;

H. 127. An act to pay William H. Preston the sum therein named:

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled,

S. 36. An act granting certain rights to the proprietors of the Piermont Bridge Company;

And have passed the same in concurrence.

The House have passed a bill entitled

H. 3. An act to establish the municipal court in the village of Bennington in the town and county of Bennington;

In the passage of which the concurrence of the Senate is requested.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate, of the following titles, viz.:

S. 13. An act to incorporate the Vermont Steamboat Company.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 87. An act to pay Robbins & Marsh the sum therein named;

H. 127. An act to pay William H. Preston the sum therein named;

To the Committee on Claims.

H. 3. An act to establish the municipal court in the village of Bennington in the town and county of Bennington;

To a select committee, consisting of the Senators from Bennington county.

H. 124. An act levy a tax on the county of Washington;

To a select committee, consisting of the Senators from Washington county.

On motion of Mr. King the Senate adjourned at three o'clock and forty minutes.

SATURDAY, NOVEMBER 6TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Friday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Start,

S. 87. An act to equalize taxation;

To the Committee on the Grand List.

By Mr. Henry,

S. 88. An act in amendment of section one of an act relating to sentences to the Reform School, approved November 22, 1870;

To the Joint Committee on Reform School.

By Mr. Peck,

S. 89. An act providing for subscription to and completion of the Vermont Historical Gazetteer;

On motion of Mr. Peck, to a special committee of three Senators, consisting of

Mr. Peck of Orange,
" Blodgett of Caledonia,
" Robinson of Chittenden.

By Mr. Start,

S. 90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting;

To the Committee on the Judiciary.

Mr. Woodhouse offered the following resolution:

Resolved, That no bills shall be introduced in the Senate after the fifteenth day of the present month;

Which was read, and referred to the Committee on Final Adjournment

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 130. An act authorizing the towns therein mentioned to fund their present indebtedness,

And have concurred therein.

The House have passed a bill entitled

H. 155. An act laying a tax on the county of Orange;

In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally read the third time and passed:

S. 57. An act to repeal section three of chapter twenty-nine of the General Statutes;

S. 59. An act relating to freemen's meetings, and fixing a time after which no alterations can be made in a check-list.

A House bill entitled

H. 141. An act relating to the service of extents,

Was read the third time and passed in concurrence.

House bills of the following titles were severally read the third time and passed in concurrence, with proposals of amendment:

H. 12. An act laying a tax on the county of Windsor;

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes.

A bill entitled

S. 55. An act in amendment of number sixty-four of the acts of 1876, relating to appeals from justices of the peace,

Was read the third time.

Mr. Dillingham, from the Committee on Revision, moved that the bill be committed to a Senator to amend as follows:

By striking out all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. An appeal from the judgment of a justice in a civil cause, to the county court, may be taken by either party, if claimed within two hours after the rendition thereof; but no appeal shall be allowed in the following cases:

I. When judgment is rendered by nonsuit or default.

II. In actions on notes and accounts stated, not exceeding forty dollars in amount; but an appeal shall be allowed a party in an action on note or account stated, when the *ad damnum* exceeds twenty dollars, who makes affidavit before the court setting forth that he has a good defence.

III. When neither the *ad damnum* in the plaintiff's writ, nor the sum demanded by the declaration, nor the amount claimed or balance due, as shown by the specifications or exhibits of the plaintiff on trial exceed twenty dollars, excepting actions by one town against another for the support of paupers, actions for fine or penalty, actions of trespass on the freehold, actions where the defendant pleads in offset, in good faith, demands exceeding twenty dollars; actions where the defendant, in good faith, pleads the authority of a court, civil or military, in excuse or justification; actions where the defendant, in good faith, pleads in excuse or justification that he was acting as a public officer; actions where a tax or tax bill or warrant is, in good faith, put in issue by the pleadings or by the proof; actions for the recovery of a subscription to the capital stock of a corporation.

SEC. 2. No judgment of a justice in cases where an appeal is not allowed shall be an estoppel upon any question or matters not therein expressly adjudicated, and no right of recovery shall thereby be established upon any collateral matter.

SEC. 3. No appeal shall be allowed in a criminal cause where the respondent is acquitted; but the respondent may appeal from any judgment or sentence of a justice against him if the appeal is claimed within two hours after the rendition of judgment.

SEC. 4. Number sixty four of the acts of 1876 and section sixty-three of chapter thirty-two of the General Statutes, relating to appeals from justices of the peace, are hereby repealed;

Which was agreed to;

Thereupon the bill was committed to the Senator from Washington to amend;

Who reported the same back amended, agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes, entitled, Of the grand list;

Was taken up as a special order;

Thereupon Mr. Dillingham moved that the Senate do now resolve itself into a committee of the whole Senate, for the consideration of said bill;

Which was agreed to;

And the President named the Senator from Washington as chairman.

After some time spent in considering the matter the committee arose and the President resumed the chair.

Mr. Dillingham, from said committee, reported progress and asked leave to sit again;

And thereupon the Senate granted the leave asked;

And on motion of Mr. Fuller the time fixed at which the Senate should again go into committee of the whole on the bill was ten and one-half o'clock on Tuesday forenoon.

Mr. Fuller presented the petition of A. T. Kellogg and others of Swanton in relation to a license law;

Also the petition of J. H. Kidder and others of Wilmington relating to a local option law;

And the same were referred to the General Committee.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dillingham,

S. 91. An act regulating the movement of trains at the crossing of one railroad by another railroad;

To the Committee on Railroads.

By Mr. Start (by request),

S. 92. An act in relation to the location of the Montpelier and White River Railroad;

To the Committee on Railroads.

By Mr. Dunton, for the Committee on the Judiciary,

S. 93. An act to abate and suppress nuisances;

To the Committee on the Judiciary.

By Mr. Goodsell,

S. 96. An act changing the name of Catherine MacDonalds and making her heir-at-law of Josiah Bohannon and Anna Bohannon;

To the General Committee.

Mr. Safford offered the following proposal of amendment to the Constitution, relating to the Legislature's power to control the traffic in intoxicating drinks:

PROPOSAL OF AMENDMENT TO THE CONSTITUTION OF THE STATE.

Resolved by the Senate (two-thirds of the members thereof concurring), that the following be proposed to the House of Representatives, as an amendment to the Constitution of the State of Vermont, viz.:

The Legislature may prohibit the sale of intoxicating liquors, but shall pass no laws licensing the traffic in intoxicating drinks;

Which was read and referred to the Committee on Constitutional Amendments.

Mr. Gleason, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 80. An act allowing the libelant and libelee, in cases of divorce, to be witnesses;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time Monday morning.

Mr. Safford, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 78. An act to amend section six of chapter eighty-three of the General Statutes;

Reported recommending that the bill be amended as follows:

By striking out all after the word "second," in the fifth line of the first section and inserting in lieu thereof the following:

"*All real and personal estate granted, sequestered or used for "public, pious or charitable uses; the property of railroad corpora- "tions shall not be included in this exemption, but shall be set in "the list as other property;*

Pending the adoption of which, on motion of Mr. Dana, the Senate adjourned at twelve o'clock and five minutes.

AFTERNOON.

A bill entitled

S. 78. An act to amend section six of chapter eighty-three of the General Statutes,

Was taken up as unfinished business;

The question being, Will the Senate agree to the proposals of amendment offered by the committee?

On motion of Mr. Dillingham the bill was *ordered* to lie and be made the special order for Tuesday afternoon.

Mr. Fuller, from the Committee on Finance, to whom was referred a bill entitled

S. 65. An act in relation to the resignation of judges of the supreme court;

Reported recommending that the bill be amended as follows:

By inserting after the word "receive," in the seventh line of section one, the words, *one half-of;*

Which was agreed to;

Thereupon on motion of Mr. Safford, under a suspension of the rule, the bill was read the third time and passed.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 89. An act providing for the State Military History;

H. 120. An act to legalize the grand lists of the town of Barnet for the years 1875, 1876 and 1877.

H. 176. An act to change the name of Katie A. Barnard and William W. Barnard;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 35. An act to pay Oscar E. Heald the sum therein named;

S. 50. An act relating to the duties of town clerks;

And have passed the same in concurrence.

Mr. Sykes, from the General Committee, to whom was referred a House bill entitled

H. 97. An act in addition to an act passed November 3, 1849, entitled, An act to incorporate the village of Bennington;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 8. An act to construe section three of an act to assess and tax railroads, approved November 28, 1876, and to relieve towns misled thereby,

Was taken up, and read the third time.

Mr. Gleed moved that the bill be committed to a Senator to amend by inserting after the word "shall," in section one, line four, the words, *for the purposes of this act only;*

Which was agreed to;

Thereupon the bill was committed to Senator Gleed for amend ment;

Who reported back the bill amended agreeably to the instructions of the Senate;

Thereupon the bill passed.

A message was received from the House of Representatives by Mr. Merrill, their Second Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 48. An act to legalize the grand list of the town of Plymouth for the year 1879;

And have concurred therein.

The House have passed bills of the following titles:

H. 104. An act relating to State Printing and Stationery,

H. 167. An act to create the Bennington Battle Monument Fund, and to amend section one of an act to incorporate the Bennington Battle Monument Association, approved November 28, 1876;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 28. An act in relation to the investment of Trust Companies of their deposits and trust funds, etc.;

And have passed the same in concurrence.

Mr. Dwinell, from the select committee, to whom was referred a House bill entitled

H. 124. An act to lay a tax on the county of Washington;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Field, from the Committee on Claims, to whom was referred a bill entitled

S. 75. An act to pay the Rutland County National Bank the sum therein named;

Reported recommending that the blank in section one in said bill be filled by the words *seven hundred, eleven and* 28-100;

Which was agreed to;

Thereupon the bill was read the third time and passed.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 89. An act providing for the State Military History;

To the Committee on Military Affairs.

H. 155. An act laying a tax on the county of Orange;

To a select committee, consisting of the Senators from Orange county.

H. 176. An act to change the names of Katie A. Barnard and William W. Barnard;

To the Committee on the Judiciary.

H. 120. An act to legalize the grand lists of the town of Barnet for the years 1875, 1876 and 1877,

To the Committee on the Grand List.

H. 167. An act to create the Bennington Battle Monument Fund, and to amend section one of An act to incorporate the Bennington Battle Monument Association, approved November 28, 1876;

To the Joint Committee on the Library.

H. 104. An act relating to State Printing and Stationery;

To the Committee on Printing.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 81. An act to legalize the grand lists of the town of Mt. Holly for the years 1879 and 1880;

Reported recommending that the bill be amended by adding to section one the following: *provided, that this act shall not affect any pending suit;*

Which was agreed to;

Thereupon the bill was read the third time and passed in concurrence, with proposal of amendment.

Mr. Dwinell, from the Committee on the Grand List, to whom was referred a House bill entitled

H. 49. An act to legalize the grand lists of the town of Newfane for the years 1877, 1878, 1879 and 1880;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Safford, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 52. An act entitled, An act for the protection of indorsers;

Reported recommending the adoption of a substitute bill therefor, as follows:

(For bill see Appendix.)

Which was agreed to.

Thereupon a bill entitled

S. 94. An act to protect indorsers and sureties,

Was read the first and second times;

And, under the rules, *ordered* to lay over for twenty four hours.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed a bill originating in the Senate, of the following title, viz.:

S. 36. An act granting certain rights to the proprietors of the Piermont Bridge Company.

Mr. Safford, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 43. An act to regulate practice in the courts of chancery,

Reported recommending the adoption of a substitute bill therefor, as follows:

(For bill see Appendix.)

Which was agreed to.

Thereupon a bill entitled

S. 95. An act to regulate practice in the courts of chancery.

Was read the first and second times;

And, under the rules, *ordered* to lay over for twenty-four hours.

Mr. Sykes, from the Committee on Claims, to whom was referred a House bill entitled

H. 87. An act to pay Robbins & Marsh the sum therein named;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Brown, from the Committee on Manufactures, to whom was referred a House bill entitled

H. 59. An act to incorporate the Dorset Marble Company;

Reported in favor of its passage;

Thereupon the bill was read the third time.

Pending the question, Shall the bill pass?

On motion of Mr. Safford it was *ordered* to lie and be made the special order for Tuesday afternoon next at two and one-half o'clock.

Mr. Fletcher, from the Committee on Banks, to whom was referred a bill entitled

S. 69. An act to incorporate the Enosburgh Falls Savings Bank,

Reported in favor of its passage.

Pending the question, Shall the bill be read the third time?

On motion of Mr. Lane it was *ordered* to lie.

Mr. King, from the Joint Committee on the Library, to whom was referred a bill entitled

S. 81. An act to pay Tuttle & Company of Rutland the sum therein named,

Reported recommending that section two be amended so as to read as follows:

This act shall take effect when Tuttle & Co. or the Bennington Battle-Monument Association shall have added to the records already published an account of the legislation of the States of New Hampshire and Massachusetts pertaining to the said celebration, and the part they took in the same; and the Governor shall certify to the Auditor of Accounts that the requirements of section two of this act have been complied with;

Which was agreed to;

Thereupon the third reading of the bill was *ordered* for Monday afternoon.

Mr. Goodsell, from the Joint Committed on Game and Fisheries, to whom was referred a bill entitled

S. 86. An act to repeal number fifty-nine of the laws of 1868;

Reported in favor of its passage.

Mr. Henry moved that the bill be *ordered* to lie, which was disagreed to—yeas 8; nays, 10.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Henry,	Safford,
Brown,	Judevine,	Sykes—8,
Cook,	King,	

Those Senators who voted in the negative are Messrs.

Dana,	Lane,	Peck,
Field,	North,	Pember,
Fuller,	Paul,	Start—10.
Goodsell,		

So the Senate refused to *order* the bill to lie.

The question being, Shall the bill be read the third time? it was decided in the negative—yeas, 7; nays, 11.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Goodsell,	North,	Start,
Hibbard,	Safford,	Sykes—7.
Lane,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Field,	Paul,
Brown,	Fuller,	Peck,
Cook,	Henry,	Pember—11.
Dana,	Judevine,	

So the third reading of the bill was refused.

Mr. Lane moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Paul, from the Committee on Agriculture, to whom was referred a bill entitled

S. 64. An act vesting police powers, and punishing depredations upon fair grounds;

Reported in favor of its passage;

Thereupon the third reading of the bill was *ordered* for Monday afternoon.

On motion of Mr. Peck a House bill entitled

H. 74. An act to repeal chapter seventy-five of the General Statutes entitled, Of inspection of provisions and manufactures,

Was taken from the table and recommitted to the Committee on Manufactures.

Mr. Safford moved to reconsider the vote ordering the third reading of a bill entitled

S. 64. An act vesting police powers, and punishing depredations upon fair grounds;

Which was agreed to.

Mr. Safford moved that the bill be amended by inserting after section two the following section:

Section 3. *It shall be the duty of such special constables to arrest any and all persons engaged in selling pools, or in any other violation of the laws of the State; and if any such special constable shall wilfully neglect to so arrest any public violators of law he shall be fined not exceeding one hundred dollars, and the penalty shall go to the State;*

Pending the adoption of which, on motion of Mr. Dana, the bill and proposal of amendment were ordered recommitted to the Committee on Agriculture.

Mr. Fuller moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Fuller introduced a bill entitled

S. 97. An act to amend an act to incorporate the St. Albans Manufacturing Company, approved November 9, 1865;

Which was read the first and second times, and referred to the Committee on Manufactures.

The Committee on Bills submit the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 36. An act granting certain rights to the proprietors of the Piermont Bridge Company;

S. 50. An act relating to the duties of town clerks;

S. 35. An act to pay Oscar E. Heald the sum therein named.

WALTER A. WEED,

For Committee.

On motion of Mr. Henry the Senate adjourned at four o'clock and thirty-five minutes.

MONDAY, NOVEMBER 8TH, 1880.

Reading of the Scriptures and prayer by the Rev. A. D. Barber of Montpelier, editor of the Vermont Chronicle.

Journal of Saturday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Henry,

S. 98. An act in amendment of and in addition to chapter ninety-nine of the General Statutes, relating to nuisances;

To the Committee on the Judiciary.

By Mr. Dillingham,

S. 99. An act to repeal an act entitled, An act in addition to and in amendment of an act changing the name of and relating to the Northfield Cemetery Association, approved November 14, 1869, approved November 28, 1876;

To the General Committee.

A bill entitled

S. 95. An act to regulate practice in the courts of chancery,

Was taken up;

And third reading *ordered* for to-morrow forenoon at eleven o'clock.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 12. An act laying a tax on the county of Windsor;

And have concurred therein.

The House have considered Senate proposals of amendment to House bill entitled

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes;

And do not concur therein.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 54. An act to pay Edwin Horton the sum therein named;

H. 131. An act laying a tax on the county of Lamoille.

A bill entitled

S. 94. An act to protect indorsers and sureties,

Was taken up;

And the question being, Shall the bill be read the third time?

Mr. Start moved to amend the bill by adding thereto the following section:

Section 2. Upon payment of the note, claim, or demand, the holder shall surrender the evidence thereof, if in writing; and if he refuses so to do the indorser or surety may receive back of the holder the sum he shall have paid thereon, and be discharged from all liabilities by reason of his undertaking. If the note or evidence of the claim or demand is lost, the holder shall execute a written release, stating the amount paid by the surety or indorser;

Pending the adoption of which,

On motion of Mr. Safford, the bill and proposal of amendment were *ordered* to lie.

Mr. Henry offered the following proposal of amendment to the Constitution, repealing such amendments as require the election of assistant judges of the county courts:

Resolved, By the Senate, two-thirds of the members thereof concurring, that the following be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont, viz:

That Article XIV of Articles of Amendment be stricken out, and that section five of Article XXIV be amended so as to read as follows:

SEC. 5. The term of office of sheriffs, high bailiffs, state's attorneys, judges of probate, and justices of the peace, shall be two years, and shall commence on the first day of December next after their election;

Which was read, and referred to the Committee on Constitutional Amendments.

A bill entitled

S. 80. An act allowing the libelant and libelee in cases of divorce to be witnesses;

Was taken up, and read the third time.

Mr. Henry, from the Committee on Revision, moved that the bill be committed to a Senator to amend as follows:

By inserting after section one the following section,

Section 2. *Number seventy-seven of the acts of* 1876 *entitled, An act allowing the libelant and libelee in cases of divorce to be witnesses is hereby repealed;*

Also by changing the number of section "two" to section *three;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Windsor to amend;

Who reported the same back amended, agreeably to the instructions of the Senate;

Whereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

Mr. Dana moved that the Senate take a recess of fifteen minutes;

Which was agreed to;

The recess having expired the President resumed the chair.

On motion of Mr. Dillingham the Senate adjourned at eleven o'clock and forty-five minutes.

AFTERNOON.

Mr. Safford offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to the Vermont Officers' Re-union Society for its annual meeting, on the evening of Thursday, November 11, 1880;

Which was read and adopted on the part of the Senate.

Mr. Safford called from the table a bill entitled

S. 94. An act to protect indorsers and sureties;

The question being, Will the Senate agree to the proposal of amendment offered by the Senator from Franklin?

The same was agreed to;

And the bill was *ordered* to be read the third time to morrow morning.

A bill entitled

S. 81. An act to pay Tuttle & Company of Rutland the sum therein named,

Was read the third time and passed.

Mr. Henry, from the Committee on Military Affairs, to whom was referred a House bill entitled

H. 89. An act providing for the State Military History;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time Tuesday afternoon.

Mr. King, from the Joint Committee on the Library, to which was referred a House bill entitled

H. 167. An act to create the Bennington Battle Monument Fund and to amend section one of an act to incorporate the Bennington Battle Monument Association, approved November 28, 1876;

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, by striking out after the word "Pennsylvania," in the ninth line of section one, the words, "or in the funded debt of the towns of Arlington, Bennington, Dorset and Shaftsbury, in the county of Bennington," and inserting in lieu thereof the following words, *or in the funded debt of any of the towns, cities or counties of the New England States;*

Second, by inserting after the word "thousand," in the ninth line of section two, the word, *dollars;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposal of amendment to House bill entitled

H. 81. An act to legalize the grand lists of the town of Mount Holly for the years 1879 and 1880;

And have concurred therein.

Mr. Gleed moved that the rules be suspended and that the vote refusing a third reading to a House bill entitled

H. 63. An act to legalize the grand lists of the town of Bolton for the years 1878, 1789 and 1880,

Be reconsidered;

And the same was agreed to;

Thereupon, on motion of Mr. Dillingham, the bill was *ordered* recommitted to the Committee on the Grand List.

Mr. Henry moved that the Senate reconsider their vote refusing a third reading to a bill entitled

S. 86. An act to repeal act number fifty-nine of the laws of 1868;

And the same was disagreed to.

Mr. Peck, from the Joint Committee on the House of Correction, submitted the following report:

[For Report see Appendix.]

Which was read and on motion of Mr. Blodgett *ordered* to lie;

And the Secretary was directed to procure the printing of five hundred copies of the same for the use of the General Assembly.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S 28. An act entitled, An act in relation to the investment by trust companies of their deposits and trust funds.

L. K. FULLER,

For Committee.

On motion of Mr. King the Senate adjourned at three o'clock and ten minutes.

TUESDAY, NOVEMBER 9TH, 1880.

President *pro tempore* in the chair.

Reading of Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

Mr. Start presented the petition of Caleb Royce and sixty-nine others in the matter of Eleanor Willey;

And the same was referred to the Committee on the Judiciary.

Mr. Henry offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly on Friday, the 12th day of November, at two and one-half o'clock P. M., to hear the report of the joint committee appointed to canvass the votes for county officers judges of probate, and justices of the peace;

Which was read and adopted on the part of the Senate.

Mr. Bridgman introduced a bill entitled

S. 100. An act to amend section fifty-four of chapter thirty of the General Statutes, relating to the accounts of executors, trustees and others;

Which was read the first and second times and referred to the Committee on the Judiciary.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bills of the following titles:

S. 56. An act in amendment of the charter of the Farmers' and Mechanics' Savings Institution and Trust Company;

S. 5. An act to repeal an act entitled, An act in relation to the catching of fish in Maidstone Lake, in the county of Essex, approved November 26, A. D 1878;

S. 71. An act to pay I. M. Tripp, Administrator of George R. Chapman's estate, the sum therein named.

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 172. An act to amend section eight of chapter one of the General Statutes;

H. 189. An act in addition to chapter fifteen of the General Statutes, entitled, Of towns, town meetings and town officers;

In the passage of which the concurrence of the Senate is requested.

The House have considered joint resolution from the Senate granting the use of the Hall of the House of Representatives to the Vermont Officers Reunion Society;

And have adopted the same in concurrence.

The Governor has informed the House that he has approved and signed a bill originating in the House entitled

H. 120. An act to authorize the town of Rutland to refund its outstanding notes or bonds.

A House bill entitled

H. 89. An act providing for the State Military History,

Was taken up, read the third time and passed in concurrence.

A bill entitled

S. 94. An act to protect endorsers and sureties,

Was taken up, read the third time and passed.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that November 8th he approved and signed bills originating in the Senate, of the following titles, viz.:

S. 50. An act relating to the duties of town clerks:

S. 35. An act to pay Oscar E. Heald the sum therein named;

S. 28. An act in relation to the investment by trust companies of their deposits and trust funds, etc.;

Mr. King presented the petition of James Peck and eighty-one others of Burlington asking for the enactment of laws to prevent the running of trains on the Sabbath;

And the same was referred to the Committee on Railroads.

A House bill entitled

H. 167. An act to create the Bennington Battle Monument Fund

and to amend section one of an act to incorporate the Bennington Battle Monument Association, approved November 28, 1876,

Was read the third time and passed in concurrence with proposals of amendments.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 172. An act to amend section eight of chapter one of the General Statutes;

H. 189. An act in addition to chapter fifteen of the General Statutes, entitled, Of towns, town meetings and town officers;

To the Committee on the Judiciary.

Mr. Start, from the Committee on the Judiciary, to whom was referred a bill entitled

S. 83. An act simplifying indictments and informations for perjury and subornation of perjury;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Lane, from the General Committee, to which was referred a bill entitled

S. 47. An act to amend and consolidate the charters and laws relating to the Bellows Falls Village Corporation;

Reported in favor of its passage;

Thereupon the bill was read the third time and on motion of Mr. Bridgman, *ordered* to lie.

The hour having arrived for the Senate to resolve itself into a Committee of the Whole for the further consideration of a bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes, entitled, Of the grand list.

The President called to the chair Senator Dillingham.

After some time spent in considering the matter, the committee rose and the President resumed the chair.

Mr. Dillingham, from said committee, reported progress and asked leave to sit again at two o'clock and thirty minutes in the afternoon;

Which was granted.

On motion of Mr. Blodgett the Senate adjourned at twelve o'clock and ten minutes.

AFTERNOON.

Mr. Bridgman called from the table a bill entitled

S. 47. An act to amend and consolidate the charters and laws relating to the Bellows Falls Village Corporation;

Thereupon the bill was passed.

Mr. Paul, from the Committee on Agriculture, to whom was referred a bill entitled

S. 64. An act vesting police powers, and punishing depredations upon fair grounds,

With a proposal of amendment,

Reported adversely to the proposal of amendment;

Thereupon the report was agreed to.

Whereupon the bill was read the third time and passed.

A bill entitled

S. 95. An act to regulate practice in the courts of chancery,

Was taken up, and on motion of Mr. Safford, *ordered* to lie.

Mr. Gleason, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 92. An act in amendment of an act entitled, An act providing for the better preservation of the laws of the State, approved November 15, 1872,

Reported recommending that the Senate propose to the House to amend the bill as follows:

By adding to the first section of the bill the following proviso, viz.,

Provided, that this act shall not affect any statute law existing prior to this act;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning at eleven o'clock.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a bill entitled

S. 93. An act to abate and suppress nuisances,

Reported recommending that the bill be amended as follows:

First, By striking out the word "or" after the word "intoxicating," in the fourth line of section twelve, and inserting in lieu thereof the word *all;*

Second, By striking out the word "or" after the word "liquors," in the fourth line of said section, and inserting in lieu thereof the word *and;*

Which were agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow forenoon at eleven o'clock.

Mr. Peck, from the Select Committee, to whom was referred a bill entitled

H. 155. An act laying a tax on the county of Orange;

Reported in favor of its passage;

Thereupon the bill was read the third time, and passed in concurrence.

Mr. Woodworth, from the Committee on the Grand List, to which was referred a bill entitled

S. 26. An act in relation to the collection of taxes;

Reported without an expression of opinion;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

A bill entitled

S. 38. An act in amendment of section four of chapter ninety-four of the General Statutes,

Was taken up as a special order;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered a joint resolution for a joint assembly to canvass the votes for county officers, judges of probate, and justices of the peace;

And have adopted the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 167. An act to create the Bennington Battle Monument Fund, and to amend section one of an act to incorporate the Bennington Battle Monument Association, approved November 28, 1876,

And have concurred therein.

The House have passed bills of the following titles:

H. 32. An act for the relief of policy holders in life insurance companies;

H. 111. An act abolishing court auditors and requiring their duties to be performed by the State Auditor;

H. 194. An act in addition to chapter seventy-two of the General Statutes, entitled Of guardians and wards;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 44. An act in relation to persons confined in the State Prison,

And have passed the same in concurrence, with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

Mr. Safford, from the Committee on the Judiciary, to whom was referred a resolution requesting said committee to make investigation and report by bill or otherwise whether municipal corporations cannot by general act be authorized to fund their indebtednes and issue bonds therefor,

Submitted the following bill entitled

S. 101. An act allowing municipal corporations to refund or renew their outstanding obligations;

Which was read the first and second times and under the rule *ordered* to lie over twenty-four hours and be printed.

The hour having arrived for the Senate to resolve itself into a Committee of the Whole Senate for the further consideration of a bill entitled

S. 25 An act to amend chapter eighty-three of the General Statutes entitled, Of the grand list.

The President named Senator Dillingham as Chairman.

After consideration of the bill for a time the committee rose and the President resumed the chair.

Mr. Dillingham, from said committee, reported the bill back to the Senate without an expression of opinion;

Thereupon Mr. Dana moved that the bill be *ordered* to lie;

And the same was agreed to.

A bill entitled

S. 78. An act to amend section six of chapter eighty-three of the General Statutes,

Was taken up as a special order:

Mr. Dana moved that the bill and proposal of amendment be recommitted to the Committee on the Judiciary.

Mr. Dunton moved to amend Mr. Dana's motion so that the bill should be referred to the Committee on Railroads;

Which was acccepted;

And the motion as amended was agreed to.

A House bill entitled

H. 59. An act to incorporate the Dorset Marble Company,

Was taken up as special order.

Mr. Safford moved that the Senate propose to the House to amend the bill by striking out the words, "and for such other purposes," in lines twenty six and twenty-seven of section one;

Which was agreed to;

Thereupon the bill was passed in concurrence with proposal of amendment.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 32. An act for the relief of policy holders in life insurance companies;

To the General Committee.

H. 111. An act abolishing court auditors and requiring their duties to be performed by the State Auditor;

To the Committee on Finance.

H. 194. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards;

To the Committee on the Judiciary.

A bill entitled

S. 69. An act to incorporate the Enosburgh Falls Savings Bank,

Was taken from the table, read the third time and passed.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 141. An act relating to the service of extents;

H. 130. An act authorizing the towns therein named to fund their present indebtedness;

H. 124. An act to levy a tax on the county of Washington;

H. 97. An act in addition to an act passed November 3, 1849, entitled, An act to incorporate the village of Bennington;

H. 87. An act to pay Robbins & Marsh the sum therein named;

H. 48. An act to legalize the grand list of the town of Plymouth for the year 1879;

H. 49. An act to legalize the grand lists of the town of Newfane for the years 1877, 1878, 1879 and 1880;

H. 81. An act to legalize the grand lists of the town of Mount Holly for the years 1879 and 1880;

H. 12. An act laying a tax on the county of Windsor.

Mr. Dwinell, from the Committee on the Grand List, to which was referred House bills of the the following titles:

H. 63. An act to legalize the grand list of the town of Bolton for the year 1878;

H. 120. An act to legalize the grand lists of the town of Barnet for the years 1875, 1876 and 1877;

Reported in favor of their passage;

Thereupon they were severally read the third time and passed in concurrence.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 5. An act to repeal an act entitled, An act in relation to the catching of fish in Maidstone Lake, in the county of Essex, approved November 26, A. D. 1878;

S. 71. An act to pay I. M. Tripp, Administrator of George R. Chapman's estate, the sum therein named;

S. 56. An act in amendment of the charter of the Farmers' and Mechanics' Savings Institution and Trust Company;

W. A. WEED,

For Committee.

On motion of Mr. Dwinell the Senate adjourned at three o'clock and forty minutes.

WEDNESDAY, NOVEMBER 10TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

A House bill entitled

H. 92. An act in amendment of an act providing for the better preservation of the laws of the State, approved November 15, 1872,

Was read the third time and passed in concurrence, with proposals of amendment.

A bill entitled

S. 83. An act simplifying indictments and informations for perjury and subornation of perjury,

Was read the third time.

Mr. Start, for the Committee on Revision, moved that the bill be committed to a Senator to amend as follows:

First, By striking out of line thirty-one of section one the words "if in a pending cause;"

Second, By inserting after the word "fifteen," in the second line of section three the words *of the General Statutes;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend;

Who reported the same back amended, agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A bill entitled

S. 38. An act in amendment of section four of chapter ninety-four of the General Statutes,

Was read the third time;

Thereupon Mr. Bridgman, from the Committee on Revision, moved that the bill be committed to a Senator to amend as follows:

By striking out of lines one and two of section one the words "section four of chapter ninety-four of the General Statutes shall be so amended that;"

Which was agreed to;

Thereupon the bill was committed to the Senator from Windham to amend;

Who reported the same back amended, agreeably to the instructions of the Senate.

Mr. Paul moved that the bill be committed to a Senator to further amend as follows:

By inserting after the word "town" in the seventh line of section one the words *upon application being made by the selectmen of such town;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Windsor to amend,

Who reported the same back amended, agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution granting the use of the Hall of the House to Rev. S. W. Dyke;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 125. An act to prevent deception in sales of butter;

H. 186. An act relating to married women and suits by and against them;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 17. An act to repeal an act to enable owners of lands to drain the same, approved November 19, 1868;

And have passed the same in concurrence.

House Bills of the following titles were severally read the first and second times, and referred as follows;

H. 125. An act to prevent deception in sales of butter;

To the Committee on Agriculture.

H. 186. An act relating to married women and suits by and against them;

To the Committee on the Judiciary.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to Rev. S. W. Dyke on the evening of Tuesday, the 16th inst., for the purpose of delivering an address on the subject of Divorce;

Was read and referred to the Joint Committee on the Library.

A bill entitled

S. 93. An act to abate and suppress nuisances,

Was read the third time.

Mr. Dunton moved that the bill be committed to a Senator to amend as follows:

First. By striking out all after the word "law" in line six of section seven and inserting the following: *or may have the same action against such tenant or occupant for the possession that he might by law have against a tenant holding over after the expiration of a*

lease or after a breach in the conditions of a lease; or may enforce his right to the premises by any other proper lawful process;.

Second, By striking out all of section twelve after the word "include," in the sixth line of said section, and inserting in lieu thereof the following:

All playing at cards, dice, tables, billiards, or any other game for money or other valuable thing;

Which was agreed to;

Thereupon the bill was committed to the Senator from Rutland to amend;

Who reported back the bill amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Petitions relating to the running of railroad trains on the Sabbath were presented as follows:

By Mr. Gleed,

Petition of W. A. Bushee and forty-eight others, citizens of Morrisville;

By Mr. Dillingham,

Petition of Curtis Wells and twenty others, citizens of Waterbury;

And the same were referred to the Committee on Railroads.

A bill entitled

S. 44. An act in relation to persons confined in the State Prison,

Was taken up, having been returned from the House with the following proposals of amendment:

First, Amend section one, in lines ten and eleven, by striking out the words "reasonable and proper;"

Second, In said line eleven after after the word "counsel" insert the words, *who have been admitted as attorneys of the supreme court of this State and are in regular standing, in presence of, but not within hearing, of some officer of the prison;*

Third, Insert in section two, lines two and six respectively, after the word "conversation," the words *or communication;*

Fourth, Add to section two the words:

If any officer of the prison shall disclose any conversation or communication between any prisoner and his counsel, in relation to the approaching trial of such prisoner, such officer shall be fined not less than five hundred dollars nor more than two thousand dollars, or be punished by imprisonment in the State Prison not less than one year nor more than five years;

Which were concurred in.

The House having refused to concur in the Senate proposals of amendment to a House bill entitled

H. 2. An act relating to the duties of state's attorneys;

Mr. Safford moved that the Senate insist upon its proposals of amendment, and ask the House for a Committee of Conference upon the disagreeing vote of the two Houses, consisting of three members from each House,

Which was disagreed to;

Thereupon Mr. Dillingham moved that the Senate adhere to its proposals of amendment to said bill,

And the same was agreed to.

Mr. Gleason, from the Committee on the Judiciary, to which was referred a bill entitled

S. 90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dunton presented the petition of James Gibson Johnson, and one hundred and twelve others, citizens of Rutland, asking for the passage of more stringent laws relating to the traffic in intoxicating liquors,

Which was read and referred to the Committee on the Judiciary.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Safford,

S. 102. An act in relation to the files and records of the municipal court of St. Albans;

To the Committee on the Judiciary.

By Mr. Gleason,

S. 103. An act to change the names of Mary Addie Morrison and Minnie Ellen Morrison;

To the Committee on the Judiciary.

Mr. Henry moved that the Senate reconsider its vote passing a bill entitled

S. 38. An act in amendment of section four of chapter ninety-four of the General Statutes;

Which was agreed to.

Mr. Field moved that the bill be committed to a Senator to amend by inserting after the word agents, in line six of section one, the words, *who shall not reside within four miles of each other;*

Pending the adoption of which,

Mr. Dana moved to amend the proposal of amendment offered by Mr. Field by adding thereto the words, *and there shall be no discrimination made in said appointment on account of color, sex or race;*

Which was disagreed to.

Mr. Blodgett moved to amend the proposal of amendment offered by Mr. Field by adding thereto the words, *or be residents of the same town;*

Pending the adoption of which,

Mr. Safford moved that the Senate do now adjourn;

And the same was disagreed to.

Mr. Field asked and was granted leave to withdraw his proposal of amendment;

Thereupon Mr. Dunton moved that the bill be committed to a Senator to amend by adding to section one the following, *but nothing*

herein shall authorize the appointment of more than one such agent in any village in such town;

Which was agreed to;

Thereupon the bill was committed to the Senator from Rutland to amend;

Who reported the same back amended agreeably to the instructions of the Senate.

Mr. Dwinell moved that the bill be *ordered* to lie;

Which was disagreed to;

Whereupon the bill was passed.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that November 9th he approved and signed bills originating in the Senate, of the following titles, viz.:

S. 56. An act in amendment of the charter of the Farmers' and Mechanics' Savings Institution and Trust Company;

S. 5. An act to repeal an act entitled, An act in relation to the catching of fish in Maidstone Lake, in the county of Essex, approved November 26, A. D. 1878;

S. 71. An act to pay I. M. Tripp, Administrator of Geo. R. Chapman's estate, the sum therein named.

On motion of Mr. Pember the Senate adjourned at twelve o'clock and ten minutes.

AFTERNOON.

Mr. Lane, from the Committee on Claims, to which was referred a bill entitled

H. 127. An act to pay William H. Preston the sum therein named;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Dwinell offered the following resolution:

Resolved, That committees reporting bills to the Senate shall be requested to state the number and nature of the bill, giving reasons why such bill ought or ought not to pass;

Which was read and, under the rules, *ordered* to lay over for twenty-four hours.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution granting the use of the Hall of the House of Representatives;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 157. An act to pay Edwin Allen the sum therein named;

In the passage of which the concurrence of the Senate is requested.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the use of the Hall of the House of Representatives be granted to the joint special committee on House bill number 75, entitled, An act to establish a State Board of Health and Vital Statistics, on Monday evening, November 15th next;

Was read and adopted in concurrence.

A House bill entitled

H. 157. An act to pay Edwin Allen the sum therein named,

Was read the first and second times and referred to the Committee on Claims.

Mr. Thatcher, from the Select Committee, to which was referred a House bill entitled

H. 3. An act to establish the municipal court in the village of Bennington in the town and county of Bennington;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Safford presented the petition of T. A. Platt and seventy-four others in relation to the Sand Bar Bridge, and

Mr. Goodsell presented the petition of O. G. Wheeler and ninety-five others asking for the passage of the bill relating to the Sand Bar Bridge Company:

Which were severally referred to the Committee on Highways and Bridges.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Gleed,

S. 104. An act for the removal of obstructions in certain portions of Lamoille River;

To the General Committee.

By Mr. Paul,

S. 105. An act to amend section eighteen of chapter thirty-one of the General Statutes, relating to the jurisdiction of justices of the peace:

To the Committee on the Judiciary.

By Mr. Safford,

S. 106. An act in amendment of and in addition to an act approved November 28, 1876, entitled, An act in amendment of an act to incorporate the village of St. Albans, approved November 18, 1859, and of the several amendments thereof heretofore enacted;

To the General Committee.

Mr. Dunton offered the following proposal of amendment to the Constitution, relating to Article XII. of the Constitution relating to trials by jury:

Resolved, (two thirds of the Senate concurring therein,) That the Senate propose to the House of Representatives the following, to become, when ratified, a part of the Constitution of the State:

SEC. 1. Article XII. of the Constitution of the State shall be so amended as to read as follows:

That when any issue in fact, proper for the cognizance of a jury, is joined in a court of law, except in cases in which the value in controversy does not exceed one hundred dollars, and title of real estate is not concerned, the parties have a right to trial by jury, which ought to be held sacred.

SEC. 2. The Legislature shall carry this article into effect by appropriate legislation;

Which was read, and referred to the Committee on Constitutional Amendments.

Mr. Dunton, from the Judiciary Committee, to which was referred a bill entitled

S. 82. An act relating to the discharge of mortgages;

Reported adversely to its passage;

Thereupon, on motion of Mr. Henry, the bill was *ordered* to lie.

Mr. Start, from the Committee on Education, to which was referred a bill entitled

S. 42. An act relating to prudential committees of high and central schools;

Reported recommending that the bill be amended as follows:

First, By striking out the word "August" wherever it occurs in said bill and inserting in lieu thereof the word *July;*

Second, by adding to section four, after the word "appointed," the words, *or until such town shall fill such vacancy;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Goodsell, from the Committee on Education, to which was referred a bill entitled

H. 95. An act to amend section twenty-five of chapter twenty-two of the General Statutes,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Fuller, from the Committee on Manufactures, to whom was referred a bill entitled

S. 97. An act to amend an act to incorporate the St. Albans Manufacturing Company, approved November 9, 1865;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

A bill entitled

S. 26. An act in relation to the collection of taxes,

Was taken up.

Mr. Safford moved to amend the bill as follows:

First, by inserting, in line three of the first section, after the words "four thousand," the words, *and any other towns which may vote to accept the provisions of this act;*

Second, by adding to section three the following: *Provided that nothing in this act shall be construed to deprive taxpayers of the abatement upon the State tax if paid within the time prescribed by law;*

Third, by striking out the words one per cent in the first sentence of the fourth section and inserting in lieu thereof the words, *one-half of one per cent;*

Fourth, by adding to the fifth section thereof the following: *Provided, however, if the treasurer of the town shall make affidavit that any person whose name appears upon the rate bill as a taxpayer is about to remove or abscond from the State and shall file the same with the selectmen, the treasurer may thereupon issue a warrant against such taxpayer for the amount of his tax, although the ninety days mentioned in section two of this act shall not have then expired; and it shall be the duty of the collector to execute the warrant;*

Which was agreed to;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

A bill entitled

S. 101. An act allowing municipal corporations to refund or renew their outstanding obligations,

Was taken up;

And the question being, Shall the bill be read the third time?

On motion of Mr. Dana it was *ordered* to lie and be made the special order for Friday afternoon.

A bill entitled

S. 95. An act to regulate practice in the courts of chancery,

Was taken up.

Mr. Safford moved to amend the bill as follows:

By inserting after the word "officer," in the third line of section six, the words, *or with the chancellor;*

Also by inserting after the word "clerk," in the third line of said section, the words, *or chancellor;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dwinell, from the Committee on the Grand List, to which was referred a bill entitled

S. 7. An act to equalize taxation;

Reported the same without an expression of opinion;

Thereupon on motion of Mr. Gleed the bill was *ordered* to lie and be made the special order for to-morrow morning at ten and one-half o'clock.

Mr. Paul offered the following proposal of amendment to the Constitution of the State, requiring the judges of the supreme court to give opinions in certain cases:

Resolved by the Senate, (two-thirds of the members thereof concurring,) that the following article be proposed to the House of Repsentatives as an amendment to the Constitution of the State of Vermont, viz.:

ARTICLE ——.

The opinions of the judges of the supreme court upon important questions of law may be required by the Governor, the Senate or the House of Representatives, when such questions of law are necessary to be determined by the authority or body making the inquiry in the exercise of executive or legislative power;

Which was read and referred to the Committee on Constitutional Amendments.

A bill entitled

S. 80. An act allowing the libelant and libelee in cases of divorce to be witnesses,

Was taken from the table.

Mr. Dunton moved that the bill be *ordered* to lie,

Which was disagreed to.

Mr. Safford moved that the bill be committed to a Senator to amend as follows:

By adding to section one the following: *in all matters except as to the admissions of either party*;

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate.

The question being, Shall the bill pass?

It was determined in the affirmative—yeas, 20; nays, 9.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleason,	Pember.
Bridgman,	Gleed,	Safford,
Brown,	Goodsell,	Start,
Cook,	Henry,	Thatcher.

Darling,	Judevine,	Woodhouse.
Dunton,	Lane,	Woodworth—20.
Field,	Peck,	

Those Senators who voted in the negative are Messrs.

Dana,	Fuller,	Paul,
Dillingham,	King,	Robinson,
Dwinell,	North,	Sykes—9.

So the bill passed.

On motion of Mr. Thatcher the the Senate adjourned at three o'clock and forty-five minutes.

THURSDAY, NOVEMBER 11TH, 1880.

President *pro tempore* in the chair.

Reading of Scripture and prayer by the Chaplain.
Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Weed (by request),
S. 107. An act relating to State Prison;
To the Joint Committee on State Prison.

By Mr. Henry,
S. 108. An act to commute the sentence of Edwin S. Hayden;
To the Committee on the Judiciary.

A bill entitled
S. 95. An act to regulate practice in the courts of chancery,
Was read the third time;
Thereupon Mr. Safford moved that the bill be committed to a Senator to amend as follows:

First, Amend section twelve, line nine, by inserting after the word "defendant" the words *or his solicitor*, so it shall read "and supported by the affidavit of the defendant or his solicitor;"

Second, Add a new section, as follows:

Section 14. *The provisions of this act shall apply to petitions for the foreclosure of mortgages;*

Third, Re-number the sections after the new section inserted;
Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the bill back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A bill entitled

S. 7. An act to equalize taxation,

Was taken up as a special order;

Thereupon Mr. Dana moved that the Senate do now resolve itself into a Committee of the Whole Senate for the consideration of said bill;

Which was agreed to.

Thereupon the President named the Senator from Addison as chairman.

After some time spent in consideration of said bill the committee rose, and the President resumed the chair. Mr. Dana, from said committee, reported progress, and asked leave for the committee to sit again, and the same was granted by the Senate.

On motion of Mr. Peck the Senate adjourned at twelve o'clock.

AFTERNOON.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a bill entitled

S. 102. An act in relation to the files and records of the municipal court of St. Albans,

Reported in favor of its passage;

Thereupon the third reading was *ordered* to-morrow morning.

Mr. Pember, from the Committee on Highways and Bridges, to which was referred a House bill entitled

H. 66. An act to repeal certain acts relating to the construction of the Sand Bar Bridge,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time, and passed in concurrence.

House bills of the following titles were severally reported from the various committees in favor of their passage;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Gleason, from the Committee on the Judiciary,

H. 194. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards.

By Mr. Henry, from the Committee on the Judiciary,

H. 189. An act in addition to chapter fifteen of the General Statutes, entitled, Of towns, town meetings and town officers.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a bill entitled

S. 12. An act changing the terms of the Supreme Court,

Reported the same back to the Senate without an expression of opinion;

Thereupon, on motion of Mr. Dillingham, the bill was *ordered* to lie.

Mr. Woodworth, from the General Committee, to which was referred a bill entitled

S. 106. An act in amendment of and in addition to an act approved November 28, 1876, entitled, An act in amendment of an act to incorporate the village of St. Albans, approved November 18, 1859, and of the several amendments thereof heretofore enacted, and in amendment of act number two hundred and seven of the laws of 1878;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

Mr. Peck, from the Committee on Manufactures, to which was referred a House bill entitled

H. 74. An act to repeal chapter seventy-five of the General Statutes entitled, Of inspection of provisions and manufactures,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

A bill entitled

S. 42. An act relating to prudential committees of high and central schools;

Was read the third time and passed.

Mr. King, from the Joint Committee on the Library, to which was referred a joint resolution from the House granting the use of the Hall of the House to Rev. S. W. Dyke,

Reported the same back to the Senate without an expression of opinion;

Thereupon the resolution was adopted in concurrence.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom,

Mr. Goodsell offered the petition of Griswold & Frissell and thirty-nine others, residents of Burlington, requesting the passage of the bill to enable the Sand Bar Bridge Company to issue preferred stock for the purposes of building a highway and bridge;

Which was referred to the Committee on Highways and Bridges.

A bill entitled

S. 90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting,

Was taken up, and on motion of Mr. Dana was *ordered* to lie.

On motion of Mr. Pember the Senate adjourned.

FRIDAY, NOVEMBER 12TH. 1880.

Reading of Scriptures and prayer by the Chaplain.
Journal of Thursday read and approved.

Bills of the following titles were severally read the third time and passed:

S. 90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting;
S. 102. An act in relation to the files and records of the municipal court of St. Albans.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 95. An act to amend section twenty-five of chapter twenty-two of the General Statutes;
H. 189. An act in addition to chapter fifteen of the General Statutes, entitled, Of towns, town meetings and town officers;
H. 194. An act in addition to chapter seventy two of the General Statutes, entitled, Of guardians and wards;

Mr. Field, from the Committee on Claims, to which was referred a House bill entitled
H. 157. An act to pay Edwin Allen the sum therein named;
Reported in favor of its passage;
Thereupon the bill was read the third time and passed in concurrence.

A bill entitled
S. 26. An act in relation to the collection of taxes;
Was taken up.
The question being, Shall the bill be read the third time?
Mr. Safford moved to amend the bill as follows:

First, by inserting after the word "places," in line three of section two, the words, *and publish the same in the public newspaper of the town, if any are there published, for at least one week;*

Second, by striking out of lines three and four of section three the words, "each delinquent taxpayer for the amount of his tax," and inserting in lieu thereof the words, *the delinquent taxpayer for the amount of their taxes;*

Third, by striking out of line four, section four, the words, "twenty-five cents for each," and inserting in lieu thereof the words, *five cents for each name on the;*

Fourth, by striking out in line two, section five, the word "each" where it occurs and inserting in lieu thereof the word *such;*
Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-mor row morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 175. An act to encourage manufactures;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bills of the following titles:

H. 59. An act to incorporate the Dorset Marble Company,

H. 92. An act in amendment of an act providing for the better preservation of the laws of the State, approved November 15, 1872;

And have concurred therein.

The House have considered Senate bill entitled

S. 75. An act to pay the Rutland County National Bank the sum therein named;

And have refused the same a third reading.

The House have passed a bill entitled

H. 234. An act in amendment of and in addition to an act entitled, An act to incorporate the village of Brattleboro, approved October 29, 1872;

In the passage of which the concurrence of the Senate is requested.

Mr. North presented the petition of W. N. Bacon and nineteen others, citizens of Shoreham, in relation to the running of railroad trains on Sunday;

Which was read and referred to the Committee on Railroads.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Laine.

S. 109. An act for the distribution of the grammar school funds of Orleans county;

To the Committee on Education.

By Mr. Safford,

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses;

To the Special Committee on Court Expenses.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 175. An act to encourage manufactures;

To the Committee on Manufactures.

H. 234. An act in amendment of and in addition to an act enti-

tled, An act to incorporate the village of Brattleboro, approved October 29, 1872;

To the General Committee.

Mr. Gleed, from the Committee on the Judiciary, to which was referred House bill entitled

H. 172. An act to amend section eight of chapter one of the General Statutes;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes entitled, Of the grand list,

Was taken up;

Thereupon Mr Dwinell moved that the bill be amended by adding to section one the following: *And the State and county treasurers in issuing their warrants to towns which by their last census reports have less than eight hundred inhabitants, it shall be apportioned to such towns for one fourth less than the actual number of inhabitants;*

Pending the adoption of which,

On motion of Mr. Dwinell the bill and proposal of amendment were *ordered* to lie.

The President laid before the Senate the following communication from the Secretary of State, with accompanying document:

STATE OF VERMONT.

OFFICE OF SECRETARY OF STATE,
MONTPELIER, November 10, 1880.

HIS HONOR, JOHN L. BARSTOW,

President of the Senate:

DEAR SIR:—I have the honor to transmit herewith a communication this day received from Gen. F. A. Walker, Superintendent of the 10th Census, relative to the census of Vermont for 1880.

Very respectfully,
GEO. NICHOLS,
Secretary of State.

DEPARTMENT OF THE INTERIOR,
CENSUS OFFICE,
WASHINGTON, D. C., November 8, 1880.

TO HON. GEORGE NICHOLS,

Secretary of State, Montpelier, Vt.:

SIR:—I have the honor to acknowledge the receipt of your favor of the 31st instant, inclosing a copy of the joint resolution of the

Senate and House of Representatives of the State of Vermont. In reply I have the honor to state that it will give me great pleasure to send a certificate of the census of Vermont according to the enumeration of 1880 as soon as the same shall have been completed, which I trust will be within a comparatively few days as I am advised by telegraph that the enumeration of the town of Dorset, the only portion of the State remaining incomplete, has been brought to a satisfactory conclusion.

Very respectfully,

FRANCIS A. WALKER,

Superintendent of Census.

Which was read and *ordered* placed on file.

Mr. Fuller, from the Committee on Finance, to which was referred a bill entitled

S. 53. An act establishing the salaries of certain State officers,

Reported adversely to its passage;

Pending the adoption of the report, Mr. Dana moved that the bill be amended by inserting a section after section four, as follows:

Section 5. *The annual salary of the Sergeant-at-Arms shall be five hundred dollars;*

Thereupon Mr. Gleed moved that the bill and proposal of amendment be recommitted to the Committee on Finance.

Mr. Fuller, from the Committee on Finance, to which was referred a bill entitled

S. 49. An act in relation to the duties of the Adjutant and Inspector General;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

On motion of Mr. Goodsell the Senate adjourned at twelve o'clock.

AFTERNOON.

Mr. King introduced a bill entitled

S. 111. An act to amend section twelve of an act concerning dogs, and for the protection of sheep and other domestic animals, approved November 22, 1876;

Which was read the first and second times, and referred to the Committee on Agriculture.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 128. An act relating to adoptions and changes of names;

H. 151. An act to amend the act incorporating the village of Winooski;

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 155. An act laying a tax on the county of Orange;

H. 89. An act providing for the State Military History;

H. 127. An act to pay William H. Preston the sum therein named.

A bill entitled

S. 101. An act allowing municipal corporations to refund or renew their outstanding obligations,

Was taken up;

Thereupon Mr. Safford moved to amend the bill as follows:

By striking out of lines five and six in section one the words "under any act of the Legislature," and inserting the same words after the word "issued" in line two of said section;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, House bills of the following titles were severally read the first and second times, and referred as follows:

H. 128. An act relating to adoptions and changes of names;

To the Committee on the Judiciary.

H. 151. An act to amend the act incorporating the village of Winooski;

To the General Committee.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 17. An act to repeal an act to enable owners of lands to drain the same, approved November 19, 1868;

S. 44. An act in relation to persons confined in the State Prison,

L. K. FULLER,

For Committee.

On motion of Mr. Woodhouse the Senate adjourned.

SATURDAY, NOVEMBER 13TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Friday read and approved.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 108. An act to commute the sentence of Edwin S. Hayden,

Asked that said bill be recalled from said committee and be re referred to a special committee consisting of three Senators appointed by the President;

Which was agreed to,

And the President announced as such committee

Senator Safford of Franklin,
" Dillingham of Washington,
" Gleed of Lamoille.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have adopted on their part a joint resolution relating to the election of certain State officers ;

In the adoption of which the concurrence of the Senate is requested.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dillingham (by request),

S. 112. An act providing for the laying out of public parks or squares on petition of freeholders ;

To the Committee on the Judiciary.

By Mr. Robinson,

S. 113. An act in amendment of and in addition to section one of number thirty-four entitled, An act relating to railroad bridges, approved November 26, 1872 ;

To the Committee on Railroads.

By Mr. Start,

S. 114. An act relating to the distribution of school moneys;

To the Committee on Education.

Mr. Peck offered the following joint resolution:

Resolved by the Senate and House of Representatives, That when the same adjourn over on Friday, the 19th day of the present month, it shall be to the 11th day of January, A. D. 1881, at two and one-half o'clock in the afternoon ;

Which was read,

And on motion of Mr. Dwinell referred to the Committee on Final Adjournment.

Mr. Cook, from the Committee on Final Adjournment, to which was referred House bill entitled

H. 104. An act relating to State Printing and Stationery,

Reported recommending the following proposals of amendment, to wit:

Insert after the word "representatives," in the ninth line of section one, the words, *also court dockets, including blank dockets for the judges and clerks, jury calendars and new entries dockets;*

Also in the third line of the sixth subdivision of section one, after the word "committees" insert the following words, *court dockets before mentioned;*

Also add to said sixth subdivision, after the word "character" in the last line thereof, the following:

And any county clerk may procure the printing, for the use of his county, the court dockets, including blank dockets for the judges and clerks, jury calendars and new entries dockets, of such person or firm as he may deem proper, provided the price of such printing shall not be greater than the contract price for the same;

Also strike out section two of said bill, and insert in place thereof the following:

Section 2. The size of each printed page of the documents mentioned in each of the foregoing divisions, except the sixth and seventh, shall be seven and one-fourth inches in length and four inches in width. The type used in the journals, laws and reports, shall be long primer, and shall be set solid except in the title page, (half-titles being excluded,) heads, running heads, and the division of subjects: but sub-reports and extracts from authors occurring in the body of a report shall be set in minion. The following parts of the Vermont State officers' reports, viz.: the treasurer's reports, abstracts of auditor's orders, abstracts of clerks' orders and returns and recapitulations, returns of savings banks and abstracts, enrollment of citizens liable to be called out for military service, all schedules and abstracts in the quartermaster-general's reports, all lists of State beneficiaries and transient insane, the list of convicts in the State Prison, the inventory of property and expenditures in the report of the sergeant-at-arms, the statistical tables in the report of the railroad commissioner, and, generally, all tabular work and statistics in any of the journals, reports and other documents provided for in this act, shall be set in nonpareil, solid, in as compact form as the page will admit, and without unnecessary blank space;

Which were severally agreed to;

Thereupon the bill was *ordered* to be read the third time Monday afternoon.

Mr. Dana, from the Committee on State Prison, to which was referred a bill entitled

S. 107. An act in relation to the State Prison,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time Monday afternoon.

Mr. Cook, from the Committee on Final Adjournment, to which was referred a resolution relating to the introduction of bills,

Reported recommending that the resolution be amended by striking out figures "15th," in the third line thereof and inserting in lieu thereof the word *twentieth ;*

Which was agreed to ;

Thereupon, on motion of Mr. Start, the resolution was *ordered* to lie.

Mr. Pember moved that the vote refusing a third reading to a bill entitled

S. 49. An act in relation to the duties of the Adjutant and Inspector General,

Be reconsidered ;

Which was agreed to ;

Thereupon on motion of Mr. Dillingham the bill was *ordered* to lie.

Mr. Safford offered the following resolution :

Resolved, That when the Senate adjourn it adjourn to meet on Monday next at two o'clock in the afternoon ;

Which was read.

Mr. Dana moved that the resolution be referred to the Committee on Final Adjournment ;

Which was disagreed to ;

Thereupon the resolution was adopted.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows :

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that November 12th he approved and signed bills originating in the Senate, of the following titles, viz. :

S. 44. An act in relation to persons confined in the State Prison ;

S. 17. An act to repeal an act to enable owners of lands to drain the same, approved November 19, 1868.

The President laid before the Senate the following communication from the Secretary of State with accompanying document :

STATE OF VERMONT.

OFFICE OF SECRETARY OF STATE,
MONTPELIER, November 13, 1880.

HIS HONOR, JOHN L. BARSTOW,

President of the Senate :

SIR :—I have the honor to transmit herewith a communication and accompanying document, relative to the census of Vermont for 1880,

this day received from Gen. F. A. Walker, superintendent of the same.

Very respectfully,
GEO. NICHOLS,
Secretary of State.

DEPARTMENT OF THE INTERIOR,
CENSUS OFFICE,
WASHINGTON, D. C., November 11, 1880.

HON. GEORGE NICHOLS,

Secretary of State of Vermont:

DEAR SIR:—In response to your letter of November 5th, enclosing a joint resolution adopted by the Legislature of Vermont at its recent session, I take pleasure in transmitting herewith a detailed statement of the population of that State according to the U. S. census of 1880.

Very respectfully,
F. A. WALKER,
Superintendent.

Which, with accompanying report, on motion of Mr. Dwinell was *ordered* to lie and be printed.

Mr. Safford moved that the Secretary be directed to procure the printing of three hundred additional copies of the same;

Which was agreed to.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in the Hall of the House of Representatives on Thursday, the 18th day of November, at half-past two o'clock in the afternooon, for the election of Secretary of State, Auditor of Accounts, Sergeant-at-Arms, Adjutant and Inspector General, Quartermaster General, Judge Advocate General, Railroad Commissioner, three Supervisors of the Insane, three Trustees of the University of Vermont and State Agricultural College to serve for a period of six years from and including December 1, 1881; also to elect a Trustee of the University of Vermont and State Agricultural College to serve until and including the 1st day of December, A. D. 1883, to fill the vacancy caused by the death of the late Asahel Peck; also to elect a State Superintendent of Education;

Was read and adopted in concurrence.

On motion of Mr. Thatcher the Senate adjourned at eleven o'clock and twenty-five minutes.

MONDAY, NOVEMBER 15TH, 1880.

The Senate convened at two o'clock in the afternoon pursuant to adjournment.

Reading of Scriptures and prayer by the Chaplain.

Journal of Saturday read, corrected and approved.

A bill entitled

S. 26. An act in relation to the collection of taxes,

Was taken up;

And on motion of Mr. Dwinell *ordered* to lie.

A bill entitled

S. 101. An act allowing municipal corporations to refund or renew their outstanding obligations,

Was read the third time and passed.

A bill entitled

S. 107. An act in relation to the State Prison,

Was taken up and read the third time.

Mr. Dillingham moved that the bill be committed to a Senator to amend as follows:

First, by inserting after the word "prison," in line two of section one, the words, *or House of Correction;*

Second, by striking out the word "the" after the words "confined in," in the fifth line of section one, and inserting in lieu thereof the word *such;*

Third, by inserting after the word "prison," in the sixth line of section one, the words, *or House of Correction;*

Fourth, by adding a section as follows:

Section 2. *Section twenty of chapter one hundred twenty-three of the General Statutes is hereby repealed;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Washington to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A House bill entitled

H. 172. An act to amend section eight of chapter one of the General Statutes,

Was read the third time and passed in concurrence.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 133. An act to legalize the grand lists of the town of Brattleboro for the years 1879 and 1880;

H. 152. An act declaring women to be eligible to the offices of town clerk and town superintendent;

H. 196. An act to legalize the grand lists of the town of Mount Tabor for the years 1878, 1879 and 1880;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 31. An act to prevent and suppress contagious diseases among domestic animals,

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 66. An act to repeal certain acts relating to the construction of the Sand Bar Bridge;

H. 167. An act to create the Bennington Battle Monument Fund, and to amend section one of an act to incorporate the Bennington Battle Monument Association, approved November 28, 1876.

The House have passed bills of the following titles:

H. 105. An act to pay Alonzo F. Sprague the sum therein named;

H. 108. An act to incorporate the Brandon Sewer Association;

H. 162. An act legalize the quadrennial appraisal of real estate for the year 1878, and the grand lists of the town of Cabot;

H. 178. An act to legalize the grand list of the town of Chittenden for the year 1880;

H. 181. An act to amend an act to incorporate the Evergreen Cemetery Association;

H. 182. An act to incorporate the Woodstock Aqueduct Company;

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances;

H. 243. An act to incorporate the trustees of the Diocese of Vermont;

H. 254. An act relating to the village of West Randolph;

H. 263. An act to legalize and incorporate the Congregational Society of New Haven;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 47. An act to amend an act entitled, An act incorporating the inhabitants of the first school district in Rockingham for the purpose therein mentioned, passed November 1, 1833; and also to amend an act entitled, An act establishing a water department of the

Bellows Falls village corporation, approved October 25, 1872, and to consolidate said acts;

S. 69. An act to incorporate the Enosburgh Falls Savings Bank;

S. 102. An act in relation to the files and records of the municipal court of St. Albans;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bill entitled

H. 2. An act relating to the duties of the State's Attorneys,

And adhere to their vote refusing to concur therein.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 133. An act to legalize the grand lists of the town of Brattleboro for the years 1879 and 1880;

H. 162. An act to legalize the quadrennial appraisal of real estate for the year 1878 and the grand lists of the town of Cabot;

H. 178. An act to legalize the grand list of the town of Chitten den for the year 1880;

H. 196. An act to legalize the grand lists of the town of Mount Tabor for the years 1878, 1879 and 1880;

To the Committee on the Grand List.

H. 181. An act to amend an act to incorporate the Evergreen Cemetery Association;

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances;

H. 254. An act relative to the village of West Randolph;

H. 263. An act to legalize and incorporate the Congregational Society of New Haven;

To the General Committee.

H. 108. An act to incorporate the Brandon Sewer Association;

H. 182. An act to incorporate the Woodstock Aqueduct Company;

H. 243. An act to incorporate the trustees of the Diocese of Vermont;

To the Committee on the Judiciary.

H. 105. An act to pay Alonzo F. Sprague the sum therein named;

To the Committee on Claims.

H. 152. An act declaring women to be eligible to the offices of town clerk and town superintendent;

To the Committee on Elections.

A House bill entitled

H. 104. An act relating to State Printing and Stationery,

Was taken up,

And on motion of Mr. Dunton *ordered* to lie and be made the special order for to-morrow afternoon at two and one-half o'clock.

Mr. Pember introduced a bill entitled

S. 115. An act reducing the fees of county clerks;

Which was read the first and second times, and referred to the Special Committee on Court Expenses.

On motion of Mr. Dunton the Senate adjourned.

TUESDAY, NOVEMBER 16TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Monday read and approved.

President *pro tempore* in the chair.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Blodgett (by request),

S. 116. An act to incorporate the Freewill Baptist Society of the town of Sutton;

To the General Committee.

By Mr. Dwinell,

S. 117. An act establishing the Vermont Board of Agriculture;

To the Committee on Agriculture.

By Mr. Fuller,

S. 118. An act changing the name of the Bickford Knitting Machine Manufacturing Company;

To the General Committee.

By Mr. Dunton,

S. 119. An act to repeal sections one, two and six of number fifty-six of the acts of 1876, entitled, An act for the further protection of fish and game;

To the Committee on Game and Fisheries.

By Mr. Goodsell,

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte;

To the Committee on Highways and Bridges.

By Mr. Gleason,

S. 121. An act to pay Thomas Sargent, Jr., the sum therein named;

To the Committee on Claims.

Mr. Field, from the Committee on Claims, to which was referred a bill entitled

S. 66. An act to pay N. F. Dunshee the sum therein named,

Reported recommending that the blank in the first section of the bill be filled by the words *three hundred eleven and* 96-100;

Which was agreed to;

Thereupon the bill was read the third time and passed.

Mr. Fuller, from the Committee on Manufactures, to which was referred a bill entitled

S. 84. An act to incorporate the Strafford Mining Company,

Reported recommending that the bill be amended as follows:

First, by inserting after the words "United States," in the fif-

teenth line of section two, the words, *The capital stock shall be seven hundred and fifty thousand dollars;*

Also after the word "and," in the same line and section, by inserting the words, *said company;*

Which was agreed to;

Thereupon the bill was read the third time and passed.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 7. An act laying a tax on the county of Caledonia;

H. 84. An act to pay Joseph W. Leighton the sum therein mentioned;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 81. An act to pay Tuttle & Company of Rutland the sum therein named,

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 57. An act to repeal section three of chapter twenty-nine of the General Statutes,

And have refused the same a third reading.

The House have reconsidered its vote whereby it concurred in Senate proposal of amendment to House bill entitled

H. 92. An act in amendment of an act providing for the better preservation of the laws of the State, approved November 15, 1872,

And refuse to concur in the adoption of said amendment.

House Bills of the following titles were severally read the first and second times, and referred as follows;

H. 7. An act laying a tax on the county of Caledonia;

To a special committee consisting of the Senators from Caledonia county.

H. 84. An act to pay Joseph W. Leighton the sum therein mentioned;

To the Committee on Claims.

Mr. Safford, from the Special Committee on Court Expenses, to whom was referred a bill entitled

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses,

Reported recommending that the bill be amended by striking out the word "three," in the tenth line of section one, and inserting in lieu thereof the word *two;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dunton offered the following resolution:

Resolved, That the Auditor of Accounts be and is hereby requested to furnish the President, for the use of the Senate, a statement showing the net amount paid to each county clerk annually by the State for the last four years for all services of every kind performed for the State including fees in criminal cases;

Which was read and adopted.

Mr. Field, from the Committee on Claims, to which was referred a bill entitled

S. 54. An act to pay Gilbert A. Davis the sum therein named,

Reported recommending that the blank in the first section of the bill be filled by the words *thirty and* 39-100;

Which was agreed to,

Thereupon the bill was read the third time and passed.

Mr. Dillingham offered the following proposal of amendment to the Constitution of the State, relating to future amendments to the Constitution:

Resolved, by the Senate, (two-thirds of the members thereof concurring), that the following article be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont, viz.:

ARTICLE ——.

SECTION 1. At a session of the General Assembly of this State, A. D. 1884, and at the session thereof every second year thereafter, the Senate may, by a vote of two-thirds of its members, make proposals of amendment to the Constitution of the State, which proposals of amendment, if concurred in by a majority of the members of the House of Representatives, shall be entered on the journals of the two Houses and referred to the General Assembly then next to be chosen, and be published in the principal newspapers of the State; and if a majority of the Senate and of the House of Representatives of the next following General Assembly shall, respectively, concur in the same proposals of amendment, or any of them, it shall be the duty of the General Assembly to submit the proposals of amendment so concurrred in to a direct vote of the freemen of the State; and such of said proposals of amendment as shall receive a majority of the votes of the freemen voting thereon shall become a part of the Constitution of this State.

SEC. 2. The General Assembly shall direct the manner of voting by the people upon the proposed amendments, and enact all such laws as shall be necessary to procure a free and fair vote upon each amendment proposed, and to carry into effect all the provisions of the preceding section.

SEC. 3. Sections one and two of article twenty-five of articles of amendment to the Constitution of this State are hereby abrogated;

Which was read and referred to the Committee on Constitutional Amendments.

Mr. Cook offered the following proposal of amendment to the Constitution, limiting the right of towns to incur debt:

Resolved by the Senate, (two-thirds of the members thereof concurring,) that the following article be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont, viz.:

ARTICLE ——.

No town or city in this State shall increase its existing debt, nor create a new one, to an amount exceeding the amount of five times its grand list; but this article shall not be so construed as to prevent a renewal of matured bonds at par, or the issue of new bonds in exchange for other bonds; provided the debt of such town or city is not thereby increased;

Which was read and referred to the Committee on Constitutional Amendments.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred proposal of amendment to the Constitution of the State, providing for a change in time of holding freemen's meetings and sessions of the Legislature,

Reported recommending that the Senate make said proposal of amendment to the Constitution of the State and ask the House to concur therein;

Which was agreed to—yeas, 20; nays, 0.

Mr. Gleason, from the Committee on Education, to which was referred a bill entitled

S. 61. An act to compel school districts to provide instruction for their legal scholars;

Reported recommending that the bill be amended as follows:

First, By striking out the words "district list," in the tenth line of section two, and inserting in lieu thereof the words, *grand list of the district;*

Second, By striking out section four;

Third, By striking out the words in section seven, "from its passage," and inserting in lieu thereof the words *March 1st*, 1881;

Fourth, By re-numbering sections "five," "six" and "seven" *four*, *five* and *six* respectively;

Which was agreed to;

Thereupon on motion of Mr. Safford the bill was *ordered* to lie and be made the special order for this afternoon.

Mr. Safford called from the table a bill entitled

S. 26. An act in relation to the collection of taxes;

Thereupon the bill was read the third time and passed.

On motion of Mr. Dana the Senate adjourned at eleven o'clock and fifty minutes.

AFTERNOON.

A bill entitled

S. 61. An act to compel school districts to provide instruction for their legal scholars,

Was taken up as a special order.

Mr. Safford moved that the following amendment be prefixed to section two:

Section 2. When application shall be made as provided in the first section of this act, it shall be the duty of the selectmen to fix a time for hearing thereon, not less than six nor more than ten days from the presentation of the petition which shall be served upon the committee of the district, if the district has elected officers;

Which was agreed to.

Mr. Field moved that the bill be further amended as follows:

First, by striking out the word "determine" in the first line of section two;

Second, by inserting the word *the* after the word "upon," and the word *determine* after the word "hearing," respectively in line one of section two;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Start,

S. 122. An act to protect the owners of lands adjoining certain streams;

To the Committee on the Judiciary.

By Mr. Paul,

S 123. An act in addition to an act to incorporate the Rutland and Woodstock Railroad Company, approved November 3, 1865;

To the Committee on Railroads.

By Mr. Start,

S. 124. An act in relation to the attachment and sale of mortgaged personal property;

To the Committee on the Judiciary.

Mr. Blodgett, from the select committee, to which was referred a House bill entitled

H. 7. An act laying a tax on the county of Caledonia,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Brown, from the Committee on Final Adjournment, to which was referred joint resolution relating to adjournment,

Reported the same back to the Senate without an expression of opinion;

Thereupon Mr. Fuller moved to amend the resolution by adding thereto the following:

And that the Committees on the Revision of the Laws and Grand List are authorized to sit during said recess. Provided, that no member of the General Assembly or any officer or employe thereof shall receive pay during said recess except the members of said Committees on the Revision of Laws and Grand List, and they only for time actually spent in the duties of such committee;

Pending the adoption of which,

Mr. Henry moved to amend the amendment as follows, by adding thereto the following:

And that no bills be introduced upon the re-assembling of the Legislature except such as may be offered by committees as substitutes for bills already referred to them at the time of adjournment;

Which was accepted.

Mr. Dana moved to further amend the amendment as amended by adding thereto the following:

Provided, That the Treasurer is authorized and directed to make up and pay the debentures of the officers and members of the General Assembly up to and including the nineteenth instant on Friday next, and no extra mileage shall be allowed on account of the session in January;

Which was accepted.

Mr. Field moved to further amend the amendment as amended by adding thereto the following:

And no business shall be considered excepting such as relates to the revision of the laws, to the grand list, and to proposals of amendment to the Constitution of the State;

Which was disagreed to;

Thereupon the amendment as amended was agreed to;

Whereupon the resolution was adopted on the part of the Senate —yeas, 19; nays, 8.

Mr. Robinson having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Lane,
Bridgman,	Fuller,	North,
Brown,	Gleason,	Peck,
Dana,	Gleed,	Safford,
Darling,	Henry,	Sykes,
Dillingham,	King,	Thatcher—19.
Dunton,		

Those Senators who voted in the negative are Messrs.

Cook,	Pember,	Woodhouse,
Judevine,	Robinson,	Woodworth—8.
Paul,	Start,	

So the resolution was adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 185. An act to amend section one of chapter thirty of the General Statutes, entitled, Of the supreme and county courts;

In the passage of which the concurrence of the Senate is requested.

The President laid before the Senate the report of the Auditor of Accounts relating to the fees of county clerks;

Which was read, and *ordered* to lie and be printed.

House bill entitled

H. 104. An act relating to State Printing and Stationery.

Was taken up as special order;

Thereupon the bill was read the third time and passed in concurrence with proposals of amendment.

A House bill entitled

H. 185. An act to amend section one of chapter thirty of the General Statutes, entitled, Of the supreme and county courts,

Was read the first and second times and referred to the Committee on the Judiciary.

On motion of Mr. Henry the Senate adjourned at four o'clock and ten minutes.

WEDNESDAY, NOVEMBER 17TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Tuesday read and approved.

Bills of the following titles were severally read the first and second times and referred as follows:

By Mr. Cook,

S. 125. An act to amend section sixty-nine of chapter twenty-eight of the General Statutes;

To the Committee on Railroads.

By Mr. Dana,

S. 126. An act in relation to the State Printing;

To the Committee on Printing.

Mr. Cook, from the Committee on Elections, to whom was referred a House bill entitled

H. 152. An act declaring women to be eligible to the offices of town clerk and town superintendent,

Reported in favor of its passage.

Mr. Dwinell moved that the bill be amended by striking out of section one the words "town superintendent of schools or;"

Which was disagreed to:

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 61. An act to compel school districts to provide instruction for their legal scholars,

Was read the third time;

And on motion of Mr. Gleason *ordered* to lie.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 186. An act relating to married women and suits by and against them,

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, by striking out of line seven, section one, the word "of," and inserting in lieu thereof the word *on*;

Second, by striking out all of section one after the word "estate," in the ninth line of said section;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Peck, from the Committee on Manufactures, to which was referred a House bill entitled

H. 175. An act to encourage manufactures,

Reported in favor of its passage;

Mr. Safford moved that the bill be *ordered* to lie;

Which was disagreed to.

Mr. Safford moved to amend the bill by striking out of section one, lines eleven, twelve and thirteen the words, "when the amount invested actually exceeds one thousand dollars;"

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses;

Was read the third time and passed.

A bill entitled

S. 31. An act to prevent and suppress contagious diseases among domestic animals,

Was taken up, having been returned from the House with the following proposal of amendment:

At the end of the third line, in section four, add the following words:

But may not prohibit the transportation of the same in cars through the State;

Which was concurred in.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 185. An act to amend section one of chapter thirty of the General Statutes, entitled, Of the supreme and county courts,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused—yeas, 12; nays, 17.

Those Senators who voted in the affirmative are Messrs.

Brown,	Gleason,	Pember.
Dana,	Judevine,	Robinson,
Darling,	Paul,	Sykes,
Dwinell,	Peck,	Thatcher—12.

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Safford,
Bridgman,	Gleed,	Start,
Cook,	Goodsell,	Weed,
Dillingham,	Henry,	Woodhouse.
Dunton,	King,	Woodworth—17.
Field,	Lane,	

So the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution relating to the services of Allen C. Grover;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the Auditor of Accounts be directed to draw an order on the Treasurer of the State in favor of Allen C. Grover for the sum of one hundred and fifty-four dollars, being for per diem debentures and mileage to and including November 16, 1880, as a member of the House of Representatives from Wells, he having been returned as such member by the certificate of the constable of said town, and having been declared not entitled to a seat as such member;

Which was read and, under a suspension of rules, adopted in concurrence.

On motion of Mr. Thatcher the Senate adjourned at twelve o'clock and twenty minutes.

AFTERNOON.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Safford,

S. 127. An act to incorporate the Maquam Bay Pottery Company;

To the General Committee.

By Mr. Woodhouse,

S. 128. An act amending an act in amendment of chapter eight of the General Statutes;

To the Committee on Banks.

By Mr. Thatcher,

S. 129. An act laying a tax on the county of Bennington;

To select committee consisting of the Senators from Bennington county.

By Mr. Safford,

S. 130. An act to incorporate the Franklin County Milling and Flouring Company;

To the Committee on Manufactures.

By Mr. Dunton,

S. 131. An act amending sections twenty-six, twenty-seven and twenty-eight of chapter one hundred and twenty-three of the General Statutes, entitled, Of the State Prison;

To the Committee on the State Prison.

By Mr. Dunton,

S. 132. An act to incorporate the city of Rutland;

On motion of Mr. Dunton, to a select committee consisting of the Senators from Rutland county.

S. 133. An act to prevent the pollution of the water of East Creek and its tributaries;

To the Committee on the Judiciary.

By Mr. Safford,

S. 134. An act in addition to an act compelling persons found intoxicated to disclose;

To the Committee on the Judiciary.

By Mr. Dunton,

S. 135. An act increasing the penalty for illegal sales of intoxicating liquor in certain cases;

To the Committee on the Judiciary.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 1. An act to pay Myron D. Hayward the sum therein named;

H. 83. An act to legalize the grand lists of the town of Sharon for the years 1878 and 1879;

H. 115. An act requiring justices to keep accounts and make certain returns;

H. 187. An act to annex the town of Salem in the county of Orleans to, and make the same part of, the town of Derby, in said county;

H. 197. An act relating to the compensation of superintendents of schools;

H. 211. An act relating to highway surveyors;

H. 239. An act exempting certain property from taxation;

H. 240. An act to change the name of Maud R. Lamphier, and constitute her heir-at-law of Julius D. Brigham and Mary Brigham;

H. 241. An act to change the name of Robert S. Royce to Robert S. Brewer;

H. 284. An act to change the names of Josie A. Rich and George David Rich;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 51. An act to change the name of the Rutland County Trust Company, and to amend the act inorporating the same, approved November 8, 1872,

And have passed the same in concurrence.

Mr. North, from the Committee on Claims, to which was referred a House bill entitled

H. 105. An act to pay Alonzo F. Sprague the sum therein named,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 61. An act to compel school districts to provide instruction for their legal scholars,

Was taken up.

Mr. Gleason moved that the bill be committed to a Senator to amend by striking out of line three, section five, the words "and four;"

Which was agreed to;

Thereupon the bill was committed to the Senator from Orange to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. Woodworth, from the Committee on the Grand List, to which was referred a House bill entitled

H. 133. An act to legalize the grand lists of the town of Brattleboro for the years 1879 and 1880,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Pember offered the following proposal of amendment to the Constitution of the State, relating to the returning and canvassing of votes for State officers:

Resolved by the Senate, (two-thirds of the members thereof concurring), that the following be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont, viz.:

ARTICLE ——.

The freemen of the several towns in the State shall, on the day of election for choosing representatives to the General Assembly, bring in their votes for Governor, Lieutenant-Governor and Treasurer, with the name of each fairly written or printed thereon, to the presiding officer of the freemen's meeting; and the said presiding officer, after the votes shall have been taken, sorted and counted by the board of civil authority present and acting, shall, in open meeting, make two certificates of the names of each person voted for, designating the office for which the votes were given, and the number of votes so given, a record of which shall be made in the town clerk's office. The votes themselves shall be preserved in said office until after the several persons receiving a majority of votes shall have been duly qualified to fulfill the duties of the office to which they shall have been respectively elected. And said presiding officer shall seal up said certificates separately, and shall write thereon the name of the town and the words "Certificate of votes for State Officers from the town of ——," one of which certificates shall be sent to the Secretary of State, and the other shall be transmitted by some representative chosen to the General Assembly, who shall deliver it to the committee of the General Assembly appointed to canvass the same. The appointment and duties of said committee shall be the same as is now provided for a similar committee by the provisions of Article XX of the Articles of Amendment to the Constitution of the State.

The tenth section of the second part of the Constitution of the State is hereby abrogated;

Which was read and referred to the Committee on Constitutional Amendments.

Mr. Start, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 109. An act abolishing counsel fees in certain cases,

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, by adding to section one the following:

Except to counsel assigned by the county court in capital cases, where the punishment is by imprisonment in the State Prison for a term exceeding ten years, and cases where the State's Attorney is disqualified by reason of interest or relationship to the respondent;

Second, by striking out all of section two, and inserting in lieu thereof the following:

Section 2. *An act entitled, An act providing for assignment of counsel in behalf of respondents in criminal cases under certain circumstances, approved November* 27, *A. D.* 1872, *is hereby repealed;*

Third, by striking out all of section three, and inserting in lieu thereof the following:

Section 3. *The cost of examination of any person accused of a crime exceeding the jurisdiction of a justice of the peace to try and determine may be certified by said justice to the Auditor of Accounts who shall audit the same, and may allow all legal fees and costs, as specified above, and the clerk of the court in the county where such examination is had shall draw an order for the same on the State Treasurer;*

Fourth, by adding the following section:

Section 4. *Sections six and seven of chapter one hundred and twenty-four of the General Statutes are hereby repealed;*

Pending the adoption of which,

On motion of Mr. Dana, the bill and proposals of amendment were *ordered* to lie.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, Mr. Fuller from the Committee on Finance, to which was referred a bill entitled

S. 53. An act establishing the salaries of certain State officers,

With proposals of amendment offered by Mr. Dana,

Reported the same back to the Senate without an expression of opinion;

Thereupon Mr. Pember moved that the bill be further amended by inserting after section seven the following:

Section 8. *The annual salary of the Superintendent of the Reform School shall be eight hundred dollars and rent and subsistence for himself and family on the premises of the Reform School;*

Section 9. *The annual salary of the State Librarian shall be one thousand dollars, and the Librarian shall, at his own expense, furnish two assistants during each session of the General Assembly, and shall pay for all assistance which he requires in the care and management of the Library;*

Section 10. *The annual salary of the Auditor of Accounts shall be twelve hundred dollars;*

Pending the adoption of which,

On motion of Mr. Pember, the bill and proposals of amendment were recommitted to the Committee on Finance.

Mr. Bridgman, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 28. An act relating to grand and petit jurors,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a bill entitled

S. 112. An act providing for the laying out of public parks or squares on petition of freeholders,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills, originating in the House, of the following titles:

H. 120. An act to legalize the grand lists of the town of Barnet for the years 1875, 1876 and 1877;

H. 3. An act to establish the municipal court in the village of Bennington, in the town and county of Bennington;

H. 63. An act to legalize the grand list of the town of Bolton for the year 1878

He has also informed the House that he has approved and signed a joint resolution originating in the House,

"Relating to the services of Allen C. Grover."

Mr. Start, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 108. An act to incorporate the Brandon Sewer Association,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 187. An act to annex the town of Salem in the county of Orleans to, and make the same part of, the town of Derby in said county;

H. 240. An act to change the name of Maud R. Lamphier, and constitute her heir-at-law of Julius D. Brigham and Mary J. Brigham;

H. 241. An an act to change the name of Robert S. Royce to Robort S. Brewer;

H. 284. An act to change the names of Josie A. Rich and George David Rich;

To the General Committee.

H. 83. An act to legalize the grand lists of the town of Sharon for the years of 1878 and 1879;

To the Committee on Grand List.

H. 239. An act exempting certain property from taxation;

To the Committee on the Grand List.

H. 1. An act to pay Myron D. Hayward the sum therein named; To the Committee on Claims.

H. 115. An requiring justices to keep accounts and make certain returns;

To the Committee on the Judiciary.

H. 211. An act relating to highway surveyors;

To the Committee on Highways and Bridges.

H. 197. An act relating to the compensation of superintendents of schools;

To the Committee on Education.

On motion of Mr. Dana a House bill entitled

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes,

Was taken up,

Having been returned from the House with the refusal to concur in the Senate proposal of amendment.

Mr. Henry moved that the Senate insist on its proposal of amendment, and ask the House for a committee of conference on the disagreeing votes of the two Houses:

Which was agreed to.

Mr. Start, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 243. An act to incorporate the trustees of the Diocese of Vermont;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time to morrow morning.

Mr. Woodworth, from the General Committee, to which was referred a bill entitled

S. 118. An act changing the name of the Bickford Knitting Machine Manufacturing Company,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

Mr. Safford moved to reconsider the vote passing a bill entitled

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses.

Which was agreed to;

Thereupon Mr. Safford moved that the bill be committed to a Senator to amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. *The maximum tax which county judges may assess upon the list of a county shall be two cents on a dollar, instead of one cent on a dollar as now provided by law;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

On motion of Mr. Woodworth the Senate adjourned at four o'clock and fifteen minutes.

THURSDAY, NOVEMBER 18TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Journal of Wednesday read and approved.

Mr. Safford moved that the vote refusing a third reading to a House bill entitled

H. 185. An act to amend section one of chapter thirty of the General Statutes, entitled, Of the supreme and county courts,

Be reconsidered.

Pending the adoption of which,

On motion of Mr. Safford, the motion to reconsider was *ordered* to lie.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Weed,

S. 136. An act for the erection of a jail for the county of Chittenden, and laying a tax on said county;

To a select committee consisting of the Senators from Chittenden county.

By Mr. Gleason,

S. 137. An act in relation to limitation of actions;

To the Committee on the Judiciary.

By Mr. Dana,

S. 138. An act in relation to the duties of justices of the peace in certain cases;

To the Special Committee on Court Expenses.

By Mr. Dunton,

S. 139. An act to provide for the appointment of a chaplain for the House of Correction and the payment for transportation of discharged convicts to their homes;

To tho Joint Committee on the House of Correction.

The President announced as the committee of conference on the part of the Senate on the disagreeing votes of the two Houses on a House bill entitled

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes;

Senator Henry of Windsor,
" Dana of Addison,
" Woodworth of Franklin.

A bill entitled

S. 112. An act providing for the laying out of public parks or squares on petition of freeholders;

Was read the third time and passed.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 28. An act relating to grand and petit jurors;

H. 133. An act to legalize the grand lists of the town of Brattleboro for the years 1879 and 1880;

H. 152. An act declaring women to be eligible to the offices of town clerks and town superintendents;

H. 175. An act to encouarge manufactures,

H. 243. An act to incorporate the trustees of the Diocese of Vermont.

House bills of the following titles were severally reported from the various committees to which they were referred in favor of their passage;

Thereupon the bills were read the third time and passed in concurrence:

By Mr. Field, from the Committee on Claims,

H. 1. An act to pay Myron D. Hayward the sum therein named;

By Mr. Sykes,

H. 84. An act to pay Joseph W. Leighton the sum therein named;

A House bill entitled

H. 186. An act relating to married women and suits by and against them,

Was read the third time and passed in concurrence, with proposals of amendment.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 128. An act relating to adoptions and changes of names,

Reported recommending that the Senate propose to the House to amend the bill as follows:

By adding to section three the words, *and if the mother of such minor is the wife of the person adopting, she may execute the instrument on the part of the minor, notwithstanding her coverture;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Start, from the Committee on Education, to which was referred a bill entitled

S. 45. An act relating to the support of schools;

Reported recommending that the bill be amended as follows:

First, by filling the blank in line one, section one, the blank in line seven of section one and the blank in line two, section two, each with the word, *fifteen;*

Second, by inserting after the word "town," in the seventh line of section five, the words, *for school purposes;* also after the word "donor," in the eighth line of said section, the words, *or by the town;*

Third, by striking out the word "the," before the word "State," in the second line of section three; also by striking out the word "the," before the word "State," in line one, section four; also by striking out the word "the," before the word "State," in the ninth line of section five, and lastly, by striking out the word "the," before the word "State," in the second line of section seven, and inserting in lieu of each "the" so stricken out, the word, *such;*

Which was agreed to;

Thereupon, on motion of Mr. Field, the bill was *ordered* to lie and be made the special order for to-morrow forenoon at eleven o'clock.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 64. An act relating to highways and bridges, and liabilities of towns as to damages,

In the passage of which the concurrence of the Senate is requested.

Mr. Thatcher, from the select committee, to which was referred a bill entitled

S. 129. An act laying a tax on the county of Bennington;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

Mr. Peck, from the special committee, to which was referred a bill entitled

S. 89. An act providing for subscription to and completion of the Vermont Historical Gazetteer;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Pember, from the Committee on Agriculture, to which was referred a House bill entitled

H. 125. An act to prevent deception in sales of butter;

Reported in favor of its passage.

Mr. Bridgman moved that the bill be amended by inserting after the word "thereof," in the twelfth line of section one, the words, *or any butter color or other substance to color the same;*

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Woodworth, from the General Committee, to which was referred a House bill entitled

H. 32. An act for the relief of policy holders in life insurance companies;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Newell, their Clerk. as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered a joint resolution from the Senate relating to adjournment and have adopted the same in concurrence with proposals of amendment, in the adoption of which the concurrence of the Senate is requested.

On motion of Mr. King the Senate adjourned at twelve o'clock.

AFTERNOON.

Mr. Sykes, from the General Committee, to which was referred a bill entitled

S. 116. An act to incorporate the Freewill Baptist Society of the town of Sutton;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A joint resolution relating to adjournment was taken up, having been returned from the House with the following proposals of amendment:

First, strike out "11th day of January, A. D. 1881," in line four, and insert in lieu thereof the words, 30*th day of November*, 1880;

Second, strike out all after the word "recess," in line nine, to and including the word "committee," in the twelfth line;

Third, strike out in lines thirteen and fourteen the words, "upon the re-assembling of the Legislature," and insert in lieu thereof the words, *after the 1st day of December;*

Fourth, strike out in the last line of the resolution the words, "session in January," and insert in lieu thereof the words, *the adjourned session;*

Which were disagreed to;

Mr. Dana moved that the Senate ask the House for a Committee of Conference on the disagreeing votes of the two Houses on the joint resolution relating to adjournment;

And the same was agreed to.

The President announced as such committee on the part of the Senate,

Senator Dana of Addison,
" Dillingham of Washington,
" Woodhouse of Chittenden.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 234. An act in amendment of and in addition to an act entitled, An act to incorporate the village of Brattleboro, approved October 29, 1872;

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, by striking out of line eleven, section two, the words, "five-sixths," and inserting in lieu thereof the words, *three-fourths;*

Second, by striking out of line thirteen of section two the words, "one-sixth," and inserting in lieu thereof the words, *one-fourth;*

Third, by striking out the words, "from its passage," in section six, and inserting in lieu thereof the words, *when accepted by a majority of the legal voters of said village;*

Which was agreed to;

Thereupon the bill was read the third time and passed in concurrence with proposals of amendment.

Mr. Woodhouse, from the Committee on Banks, to which was referred a bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Woodworth, from the General Committee, to which was referred a House bill entitled

H. 254. An act relative to the village of West Randolph;

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Start, from the Committee on the Judiciary, to which was referred a bill entitled

S. 122. An act to protect the owners of lands adjoining certain streams,

Reported in favor of its passage;

Thereupon, on motion of Mr. Dwinell, the bill was *ordered* to lie.

Mr. Start asked and was granted leave to withdraw the petition of Caleb Royce and sixty-nine others in the matter of Eleanor Willey.

A House bill entitled

H. 64. An act relating to highways and bridges, and liabilities of towns as to damages;

Was read the first and second times and on motion of Mr. Dwinell referred to a special committee, consisting of the Committees on Highways and Bridges and Land Taxes.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House;

And having returned therefrom, Mr. Start called from the table House bill entitled

H. 109. An act abolishing counsel fees in certain cases.

The question being, Will the Senate agree to the proposals of amendment offered by the committee? it was determined in the affirmative;

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have acceded to the request of the Senate for the appointment of a Committee of Conference on the disagreeing votes of the two Houses on resolution for adjournment, and have appointed as such committee on their part,

Mr. Taft,
" Page,
" Scranton.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dillingham,

S. 140. An act in amendment of section one of chapter twenty four of the General Statutes;

To the Committee on the Judiciary.

By Mr. Safford,

S. 141. An act relating to commitments;

To the Committee on the Judiciary.

By Mr. Dunton,

S. 142. An act in relation to remedies supplementary to execution;

To the Committee on the Judiciary.

Mr. Goodsell presented the petition of O. G. Wheeler and forty-five others, relating to the Sand Bar Bridge Company and the extension of their road;

Which were referred to the Committee on Highways and Bridges.

Mr. Woodworth, from the Committee on the Grand List, to which was referred a House bill entitled

H. 178. An act to legalize the grand list of the town of Chittenden for the year 1880;

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third third time and passed in concurrence.

Mr. Pember moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Bridgman moved that the Senate take a recess of fifteen minutes;

Which was agreed to.

The recess having expired, the President resumed the chair.

Mr. Lane, from the General Committee, to which was referred a bill entitled

S. 63. An act to repeal an act to incorporate the village of Cabot;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Safford from the Committee on Printing, to which was referred a bill entitled

S. 126. An act in relation to the State Printing;

Reported in favor of its passage;

Thereupon the third reading of the bill was *ordered* for to-morrow morning.

Mr. Dwinell, from the Committee on Grand List, to which was referred a House bill entitled

H. 162. An act to legalize the quadrennial appraisal of real estate for the year 1878, and the grand lists of the town of Cabot;

Reported recommending that the Senate propose to the House to amend the bill by striking out section two and re-numbering section three section two;

Thereupon the bill was read the third time and passed in concurrence, with proposals of amendment.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have acceded to the request of the Senate for the appointment of a Committee of Conference on the disagreeing votes of the two Houses on House bill entitled

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes.

And have appointed as such committee on their part,

Mr. Thompson,
" Fifield,
" Abell.

The House have considered the report of the Committee of Conference on the disagreeing votes of the two Houses on the matter of adjournment, and have adopted said report;

And also have adopted, on their part, a joint resolution reported by said committee.

Mr. Dana, from the Committee of Conference, presented the following report:

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the House to a joint resolution relating to adjournment having met, after full and free conference, have agreed to recommend, and do recommend, to their respective Houses the passage of the following joint resolution as a substitute for the original joint resolution.

EDWARD S. DANA,
W. P. DILLINGHAM,
CH. W. WOODHOUSE,
} Managers on the part of the Senate

R. S. TAFT,
J. B. PAGE,
WALTER SCRANTON,
} Managers on the part of the House.

Which, with a joint resolution as follows:

Resolved by the Senate and House of Representatives, That when the two Houses adjourn on the afternoon of Friday, the nineteenth instant, it shall be to the first day of December, 1880, at four o'clock P. M., and that the Committees on Revision of the Laws and Grand List are authorized to sit during said recess: Provided, That no member of the General Assembly or any officer or employé thereof shall receive pay during said recess, except the members of said Committees on Revision of Laws and Grand List, and they only for time actually spent on the duties of such committees. And that no bills be introduced upon the re-assembling of the Legislature (except such as may be reported by a committee) after the third day of December.

And the Treasurer is authorized and directed to make up and pay the debentures of the officers and members of the General Assembly up to and including the nineteenth instant on Friday next, but no extra mileage shall be allowed on account of such adjournment;

Submitted by the Committeee of Conference, was read and adopted on the part of the Senate—yeas, 18; nays, 12.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Dunton,	Safford,
Brown,	Dwinell,	Sykes,
Cook,	Fuller,	Thatcher.
Dana,	Gleason,	Weed
Darling,	Goodsell,	Woodhouse,
Dillingham,	Henry,	Woodworth—18.

Those Senators who voted in the negative are Messrs.

Blodgett,	King,	Peck,
Field,	Lane,	Pember,
Gleed,	North,	Robinson,
Judevine,	Paul,	Starr—12.

So the report of the committee and the resolution were adopted on the part of the Senate.

On motion of Mr. Henry the Senate adjourned at five o'clock and twenty minutes.

FRIDAY, NOVEMBER 19TH, 1880.

Reading of the Scriptures and prayer by the Chaplain.

Journal of Thursday read and approved.

A bill entitled

S. 116. An act to incorporate the Freewill Baptist Society of the town of Sutton,

Was read the third time and passed.

A House bill entitled

H. 109. An act abolishing counsel fees in certain cases,

Was read the third time;

Thereupon the passage of the bill in concurrence with proposals of amendment was refused—yeas, 9; nays, 16.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Judevine,	Safford,
Darling,	Lane,	Start—8.
Fuller,	Pember,	

Those Senators who voted in the negative are Messrs.

Brown,	Gleason,	Robinson,
Cook,	Henry,	Sykes,
Dana,	King,	Thatcher,
Dillingham,	North,	Weed,
Dwinell,	Paul,	Woodworth—17.
Field,	Peck,	

So the passage of the bill was refused.

A House bill entitled

H. 128. An act relating to adoptions and changes of names,

Was read the third time and passed in concurrence with proposal of amendment.

A bill entitled

S. 126. An act in relation to the State Printing,

Was read the third time;

Thereupon Mr. Dillingham moved that the bill be committed to a Senator to amend by adding thereto the following section:

Section 3. *An act to provide for the printing of the Directory of the General Assembly, approved November* 28, 1876, (*being number thirty of the acts of that year*), *is hereby repealed;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Washington to amend;

Who reported the same back amended agreeably to the instructions of the Senate;

Thereupon the bill was passed.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 110. An act to incorporate the Marble Savings and Trust Company of Rutland;

H. 136 An act relating to taxable fees of authorized persons;

H. 173. An act in addition to chapter one hundred and twenty-one of the General Statutes;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 27. An act in amendment of sections two and fifteen of chapter sixty-one of the General Statutes;

S 54. An act to pay Gilbert A. Davis the sum therein named;

S. 106. An act in amendment of and in addition to an act approved November 28, 1876, entitled, An act in amendment of an act to incorporate the village of St. Albans, approved November 18, 1859, and of the several amendments thereof heretofore enacted, and in amendment of act number two hundred and seven of the laws of 1878;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 66. An act to pay N. F. Dunshee the sum therein named;

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have on their part adopted a joint resolution relating to the election of State officers;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in the Hall of the House of Representatives, at eleven and one-half o'clock this forenoon, for the election of Sergeant at-Arms;

Was read and adopted in concurrence.

A bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

Was read the third time.

Mr. Dillingham moved that the bill be committed to a Senator to amend as follows:

First, By striking out the first three lines of section one;

Second, By prefixing to section two the following words:

Section three of chapter eighty of the General Statutes also;

Which was agreed to;

Thereupon the bill was committed to the Senator from Washington to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A House bill entitled

H. 125. An act to prevent deception in sales of butter,

Was read the third time and passed in concurrence.

Mr. Dana moved to amend the title of the bill by substituting for the word "butter" the word, *oleomargarine;*

Which was disagreed to.

Mr. Bridgman called from the table the motion to reconsider the vote refusing the third reading to a House bill entitled

H. 185. An act to amend section one of chapter thirty of the General Statutes, entitled, Of the supreme and county courts;

Thereupon the motion to reconsider was disagreed to—yeas, 7; nays, 21.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Paul,	Pember.
Dwinell,	Peck,	Robinson—7.
Gleason,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	North,
Bridgman,	Gleed,	Safford,
Brown,	Goodsell,	Start,
Darling,	Henry,	Sykes,
Dillingham,	Judevine,	Thatcher,
Dunton,	King,	Weed,
Field,	Lane,	Woodworth—21.

So the motion to reconsider was disagreed to.

Mr. King moved that the Senate reconsider its vote refusing the passage in concurrence of a House bill entitled

H. 109. An act abolishing counsel fees in certain cases,

The question being, Will the Senate agree to the same?

On motion of Mr. Dunton the motion to reconsider was *ordered* to lie and be made the special order for eleven o'clock and forty-five minutes this A. M.

The hour having arrived for the meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives.

Having returned therefrom, bills of the following titles were severally

rally introduced, read the first and second times, and referred as follows:

By Mr. Fuller,

S. 143. An act in relation to the militia;

To the Committee on Military Affairs.

By Mr. Gleed,

S. 144. An act to repeal section four of an act providing for assignment of counsel to defend respondents;

To the Committee on the Judiciary.

By Mr. Cook,

S. 145. An act in relation to the judges of the supreme court;

To the Committee on the Judiciary.

By Mr. Safford,

S. 146. An act in amendment of act number sixty of the laws of 1878, entitled, An act in relation to the supervisors of the insane and the discharge of patients from insane asylums;

To the Committee on Insane Asylum.

Mr. Henry offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly on this Friday at two and one-half o'clock, P. M., November 19, 1880, for the purpose of electing an assistant judge of the supreme court;

Which was read and adopted on the part of the Senate.

Mr. Safford presented the petition of A. G. Brush relating to the rolls and records of soldiers of the war of 1812, and the same was referred to the Committee on Military Affairs.

Mr. Fuller, from the Committee on Finance, to which was referred a House bill entitled,

H. 111. An act abolishing court auditors and requiring their duties to be performed by the State Auditor,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time on Friday, December 3.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to request the Senate to return to the possession of the House Senate bill entitled

S. 66. An act to pay N. F. Dunshee the sum therein named.

A House bill entitled

H. 109. An act abolishing counsel fees in certain cases,

Was taken up as a special order.

The question being, Will the Senate reconsider the vote refusing the passage thereof?

It was decided in the affirmative—yeas, 12; nays, 11.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Pember,
Brown,	Judevine,	Safford,
Darling,	King,	Start,
Dunton,	Lane,	Sykes—12.

Those Senators who voted in the negative are Messrs.

Dillingham,	Gleed,	Peck,
Dwinell,	Goodsell,	Robinson,
Field,	Henry,	Woodworth—11.
Gleason,	Paul,	

So the motion to reconsider was agreed to;

Thereupon, on motion of Mr. Dunton, the bill was *ordered* to be recommitted to the Committee on the Judiciary.

Mr. Field moved that the Senate return to the House, agreeably to their request, a bill entitled

S. 66. An act to pay N. F. Dunshee the sum therein named;

Which was agreed to.

A bill entitled

S. 45. An act relating to the support of schools,

Was taken up as a special order;

The question being, Shall the bill be read the third time?

On motion of Mr. Fuller the Senate adjourned at twelve o'clock and twenty minutes.

AFTERNOON.

Mr. Dwinell, from the Committee on the Grand List, to which was referred a House bill entitled

H. 196. An act to legalize the grand lists of the town of Mount Tabor for the years 1878, 1879 and 1880,

Reported recommending that the Senate propose to the House to amend the bill by striking out section two, and re-numbering "section three" *section two;*

Which was agreed to;

Thereupon the bill was read the third time and passed in concurrence with proposals of amendment.

Mr. Peck, from the Committee on Manufactures, to which was referred a bill entitled

S. 41. An act to encourage manufactures and to repeal certain acts therein mentioned,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Safford, from the Special Committee on Court Expenses, to which was referred a bill entitled

S. 138. An act in relation to the duties of justices of the peace in certain cases,

Reported in favor of its passage;

Thereupon the bill was read the third time.

Mr. Dillingham moved that the bill be *ordered* to lie;

Which was agreed to.

President *pro tempore* in the chair.

Mr. Pember, from the Committee on Highways and Bridges, to which was referred a bill entitled

S. 79. An act to enable the Sand Bar Bridge Company to issue preferred stock for the purpose of building a highway and bridge,

Reported recommending that the bill be amended as follows:

First, By inserting after the word "river," in the fifth line of section one, the words, *with suitable draw for sailing vessels to pass;*

Second, By inserting after the word "after," in the fourth line of section four, the words, *deducting eight hundred dollars annually for;*

Which was agreed to;

Thereupon the bill was read the third time and passed.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House.

Having returned therefrom,

Mr. Dillingham introduced a bill entitled

S. 147. An act relating to recognizances in criminal prosecutions;

Which was read the first and second times, and referred to the Committee on the Judiciary.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 47. An act to amend and consolidate the charter and laws relating to the Bellows Falls Village Corporation;

S. 69. An act to incorporate the Enosburgh Falls Savings Bank;

S. 81. An act to pay Tuttle & Company of Rutland the sum therein named;

S. 102. An act in relation to the files and records of the municipal court of St. Albans;

S. 31. An act to prevent and suppress contagious diseases among domestic animals;

S. 51. An act to change the name of the Rutland County Trust Company, and to amend the act incorporating the same, approved November 8, 1872;

S. 27. An act in amendment of sections two and fifteen of chapter sixty-one of the General Statutes;

S. 54. An act to pay Gilbert A. Davis the sum therein named;

S. 106. An act in amendment of and in addition to an act approved November 28, 1876, entitled, An act in amendment of an act to

incorporate the village of St. Albans, approved November 18, 1859, and of the several amendments thereof heretofore enacted, and in amendment of act number 207 of the laws of 1878;

L. K. FULLER,

For Committee on Bills.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 156. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards;

H. 264. An act in amendment of chapter twenty-five of the General Statutes, entitled, Of repairs of highways and bridges;

H. 279. An act to incorporate the Vermont College of Teachers;

H. 282. An act to incorporate the Laurel Glen Cemetery Association;

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 59. An act to incorporate the Dorset Marble Company;

H. 189. An act in addition to chapter fifteen of the General Statutes, entitled, Of towns, town meetings and town officers;

H. 194. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards;

H. 157. An act to pay Edwin Allen the sum therein named;

H. 172. An act to amend section eight of chapter one of the General Statutes;

H. 95. An act to amend section twenty-five of chapter twenty-two of the General Statutes.

Mr. Dana called from the table a bill entitled

S. 138. An act in relation to the duties of justices of the peace in certain cases;

Thereupon Mr. Dana moved that the bill be committed to a Senator to amend as follows:

By striking out all of section one after the word "cause," in line ten of said section, and inserting in lieu thereof the words, *required by law to be filed by a justice with such clerk;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Addison to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A bill entitled

S. 45. An act relating to the support of schools,

Was taken up as unfinished business, having been under consideration as a special order when the Senate adjourned.

Mr. Pember moved that the bill be *ordered* to lie;

Which was agreed to.

Mr. Dunton moved to reconsider the vote passing in concurrence a House bill entitled

H. 152. An act declaring women to be eligible to the offices of town clerk and town superintendent;

Thereupon, on motion of Mr. Dunton, the motion to reconsider was *ordered* to lie.

Mr. Dillingham introduced a bill entitled

S. 148. An act in addition to number thirteen of the acts of 1876;

Which was read the first and second times, and referred to the Committee on the Judiciary.

Mr. North moved that the Senate do now adjourn;

Which was disagreed to—yeas, 11; nays, 13.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Peck,
Brown,	Gleason,	Pember,
Dana,	Judevine,	Thatcher—11.
Darling,	North,	

Those Senators who voted in the negative are Messrs.

Dillingham,	Henry,	Start,
Dunton,	King,	Sykes,
Field,	Paul,	Weed,
Fuller,	Safford,	Woodworth—13.
Goodsell,		

So the motion was disagreed to.

A House bill entitled

H. 32. An act for the relief of policy holders in life insurance companies,

Was taken up, read the third time and passed in concurrence.

Mr. Start called from the table Senate bill entitled

S. 122. An act to protect the owners of lands adjoining certain streams;

The question being, Shall the bill be read the third time?

Mr. Dana moved that the Senate do now adjourn;

Which was disagreed to—yeas, 12; nays, 14.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Darling,	Judevine,
Brown,	Dwinell,	Peck,
Cook,	Gleason,	Pember,
Dana,	Gleed,	Thatcher—12.

Those Senators who voted in the negative are Messrs.

Dillingham,	King,	Start,
Field,	North,	Sykes,
Fuller,	Paul,	Weed,
Goodsell,	Robinson,	Woodworth—14.
Henry,	Safford,	

So the motion was disagreed to.

The question recurring on the third reading of the bill,

Mr. Dwinell moved that the bill be amended as follows:

First, by striking out all of section one after the word "river," in the tenth line of said section;

Second, by striking out section two and re-numbering sections "three" and "four" *two* and *three* respectively.

Pending the question, Will the Senate agree to the first proposal of amendment offered by the Senator from Washington;

It was agreed to—yeas, 12; nays, 2.

Mr. Dana raised the point that there was no quorum voting and moved that the Senate do now adjourn;

Which was disagreed to—yeas, 9; nays, 16.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Cook,	Dwinell,	Peck,
Dana,	Gleason,	Pember,
Darling,	Judevine,	Weed—9.

Those Senators who voted in the negative are Messrs.

Blodgett,	Henry,	Safford,
Dillingham,	King,	Start,
Dunton,	North,	Sykes,
Field,	Paul,	Weed,
Fuller,	Robinson,	Woodworth—16.
Goodsell,		

So the motion was disagreed to.

The question recurring, Will the Senate agree to the first proposal of amendment to the bill offered by the Senator from Washington?

The same was agreed to—yeas, 12; nays, 0.

Mr. Dwinell raised the point that there was no quorum voting and moved that the Senate do now adjourn;

Which was disagreed to—yeas, 10; nays, 14.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Peck,
Cook,	Gleason,	Pember,
Dana,	Judevine,	Thatcher—10.
Darling,		

Those Senators who voted in the negative are Messrs.

Dillingham,	Henry,	Start,
Dunton,	King,	Sykes,

Field,	North,	Weed,
Fuller,	Paul,	Woodworth—14.
Goodsell,	Safford,	

So the motion to adjourn was disagreed to.

The question recurring, Will the Senate agree to the first proposal of amendment offered by the Senator from Washington?

It was agreed to—yeas, 15; nays, 6.

Mr. Dwinell having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Paul,
Cook,	Goodsell,	Peck,
Dana,	Henry,	Sykes,
Darling,	Judevine,	Thatcher,
Dillingham,	North,	Weed—15.

Those Senators who voted in the negative are Messrs.

Dunton,	Safford,	Woodworth—5.
King,	Start,	

So the amendment was agreed to.

Pending the question, Will the Senate agree to the second proposal of amendment offered by the Senator from Washington?

Mr. Safford moved that the Senate do now adjourn;

Which was agreed to—yeas, 17; nays, 7.

Mr. North having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Peck,
Cook,	Gleason,	Pember,
Dana,	Goodsell,	Safford,
Darling,	Henry,	Sykes,
Dunton,	Judevine,	Thatcher—17.
Dwinell,	King,	

Those Senators who voted in the negative are Messrs.

Dillingham,	Paul,	Weed,
Field,	Start,	Woodworth—7.
North,		

So the Senate adjourned.

WEDNESDAY, DECEMBER 1ST, 1880.

The Senate convened at four o'clock in the afternoon agreeably to adjournment of the General Assembly.

Prayer by the Chaplain.

Journal of Friday, November 19th, read and approved.

A bill entitled

S. 122. An act to protect the owners of lands adjoining certain streams,

Was called up, having been under consideration when the Senate adjourned.

The question being, Will the Senate agree to the second proposal of amendment offered by the Senator from Washington?

The same was disagreed to;

Thereupon Mr. Dillingham moved that the Senate reconsider the vote agreeing to the first proposal of amendment offered by Senator Dwinell, and that the motion to reconsider be *ordered* to lie;

Which was agreed to.

Mr. Safford, from the Committee on Insane Asylum, to which was referred a bill entitled

S. 146. An act in amendment of act number sixty of the laws of 1878, entitled, An act in relation to the supervisors of the insane and the discharge of patients from insane asylums,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

T. C. Phinney, Sergeant-at-Arms, appointed Ernest V. Booth of Morristown as Messenger of the Senate from this date in place of William G. Stearns, absent by reason of sickness.

On motion of Mr. Dillingham the Senate adjourned.

THURSDAY, DECEMBER 2ND, 1880.

Reading of Scriptures and prayer by the Chaplain.
Journal of Wednesday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Gleed,
S. 149. An act relating to process in divorce cases;
To the Committee on the Judiciary.

By Mr. Bridgman,
S. 150. An act to incorporate the Brattleboro and Vernon Railroad Company;
To the Committee on Railroads.

By Mr. Henry,
S. 151. An act relating to the grand list of school districts;
To the Committee on Education.

By Mr. Gleed (by request),
S. 152. An act to authorize the building of a water spout or sluice in the valley of Brewster river, in the town of Cambridge;
To the Committee on the Judiciary.

By Mr. Dunton (by request),
S. 153. An act to incorporate the New England Fire Insurance Company;
To the General Committee.

By Mr. Henry,
S. 154. An act relating to the election of the judges of the supreme court;
To the Committee on the Judiciary.

By Mr. Gleed (by request),
S. 155. An act relating to the support of paupers;
To the Committee on the Judiciary.

By Mr. Henry (by request),
S. 156. An act to compel the selectmen of towns to keep the margins of highways free from bushes;
To the Committee on Highways and Bridges.

By Mr. Safford (by request),
S. 157. An act to pay Alvaro Adsit the sum therein named;
To the Committee on Claims.

By Mr. Dillingham,
S. 158. An act in relation to executions in case of judgments and in case of subsequent attaching creditors;
To the Committee on the Judiciary.

By Mr. Start,

S. 159. An act relating to intoxication;

To the Committee on the Judiciary.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 110. An act to incorporate the Marble Savings and Trust Company of Rutland;

To the Committee on Banks.

H. 136. An act relating to taxable fees of authorized persons;

H. 156. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards;

H. 173. An act in addition to chapter one hundred and twenty-one of the General Statutes;

To the Committee on the Judiciary.

H. 264. An act in amendment of chapter twenty-five of the General Statutes, entitled, Of repairs of highways and bridges;

To the Committee on Highways and Bridges.

H. 279. An act to incorporate the Vermont College of Teachers?

To the Committee on Education.

H. 282. An act to incorporate the Laurel Glen Cemetery Association;

To the General Committee.

A bill entitled

S. 146. An act in amendment of act number sixty of the laws of 1878, entitled, An act in relation to the supervisors of the insane and the discharge of patients from insane asylums;

Was read the third time.

Mr. Safford, for the Committee on Revision of Laws moved that the bill be committed to a Senator to amend as follows:

First, by striking out the first six lines of section one;

Second, in line forty-nine of section one strike out the words, "whose duty it shall be to," and insert in lieu thereof the following: *Section* 2. *The supervisors shall;*

Third, by inserting a new section after section one as follows:

Section 3. *Section one of act number sixty of the laws of* 1878 *is hereby repealed;*

Fourth, by re-numbering "section two" *section four;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

Mr. Dwinell called from the table a bill entitled

S. 122. An act to protect the owners of lands adjoining certain streams;

The question being, Will the Senate reconsider the vote adopting the first proposal of amendment offered by the Senator from Washington?

The same was agreed to;

Thereupon, on motion of Mr. Dwinell, the bill and pending amendment was *ordered* to be recommitted to the Committee on the Judiciary.

Mr. Safford offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assemby on Friday, the third day of December, A. D. 1880, at fifteen minutes past two o'clock in the afternoon, to elect an assistant judge of the supreme court to fill the existing vacancy;

Which was read and referred to the Committee on the Judiciary.

Mr. North, from the Committee on Highways and Bridges, to which was referred a House bill entitled

H. 211. An act relating to highway surveyors,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

On motion of Mr. Dana the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

Mr. Safford, for the Committee on the Judiciary, introduced a bill entitled

S. 160. An act in relation to the filling of vacancies in office;

Which was read the first and second times.

Mr. Bridgman moved that the rule be suspended, and the bill be read the third time;

Objection being made to the reading of the bill the third time at the present time, the bill was *ordered* to lie for twenty-four hours.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dwinell,

S. 161. An act to regulate elections;

To the Committee on the Judiciary.

By Mr. Henry,

S. 162. An act relating to the election of State officers;

To the Committee on the Judiciary.

Mr. North, from the Committee on Highways and Bridges, to which was referred a House bill entitled

H. 264. An act in amendment of chapter twenty-five of the General Statutes, entitled, Of repairs of highways and bridges;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House on the nineteenth day of November last considered a joint resolution from the Senate providing for the election of an assistant judge of the supreme court;

And did, on that day, adopt the same in concurrence with proposals of amendment,

In the adoption of which they ask the concurrence of the Senate.

Mr. Bridgman called from the table a bill entitled

S. 146. An act in amendment of act number sixty of the laws of 1878, entitled, An act in relation to the supervisors of the insane, and the discharge of patients from insane asylums;

Thereupon, on motion of Mr. Dana, the bill was *ordered* to lie and be made the special order for Monday afternoon at three o'clock.

Mr. Dana, from the Committee on Railroads, to which was referred a bill entitled

S. 78. An act to amend section six of chapter eighty-three of the General Statutes

And a pending amendment,

Reported adversely to the proposal of amendment and in favor of the passage of the bill.

The question being, Will the Senate agree to the proposal of amendment?

It was decided in the negative—yeas, 12; nays, 15.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dunton,	Judevine,
Bridgman,	Fuller,	King,
Brown,	Gleed,	Pember,
Darling,	Henry,	Safford—12.

Those Senators who voted in the negative are Messrs.

Dana,	North,	Sykes,
Dillingham.	Paul,	Thatcher.
Dwinell	Peck,	Weed
Gleason	Robinson,	Woodhouse,
Goodsell,	Start,	Woodworth—15.

So the proposal of amendment was disagreed to.

On motion of Mr. Paul the Senate adjourned at three o'clock and fifty minutes.

FRIDAY, DECEMBER 3D, 1880.

Reading of the Scriptures and prayer by Rev. Seldon B. Currier, Chaplain of the House.

Journal of Thursday read and approved.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Safford,

S. 163. An act in relation to the taxation of railroads;

To the Committee on the Grand List.

By Mr. Robinson (by request).

S. 164. An act relating to the collection of taxes;

To the Committee on Land Taxes.

By Mr. Dana,

S. 165. An act providing for the printing of a catalogue of the principal officers connected with the political history of the State;

To the Committee on Printing.

By Mr. Blodgett,

S. 166. An act in relation to the report of receiver of insolvent savings banks and trust companies;

To the Committee on Banks.

By Mr. Safford,

S. 167. An act in relation to injunctions restraining the collection of taxes;

To the Committee on the Judiciary.

By Mr. Cook,

S. 168. An act to amend section twenty-nine of chapter eighty-three of the General Statutes;

To the Committee on the Judiciary.

By Mr. Start, for the Judiciary Committee,

S. 169. An act to protect the owners of lands adjoining streams and to prevent the pollution of waters;

Read the first and second times and *ordered* to lie twenty-four hours.

By Mr. Safford,

S. 170. An act relating to the powers and authority of assistant judges of the county court;

To the Committee on the Judiciary.

By Mr. Dunton,

S. 171. An act to prescribe the number of selectmen in towns of over six thousand inhabitants and giving them power to appoint and remove highway surveyors and overseers of the poor;

S. 172. An act to repeal certain portions of chapter seventy-five of the General Statutes;

S. 173. An act to reduce State expenses;
To the Committee on the Judiciary.

By Mr. Paul,
S. 174. An act in relation to winter roads;
To the Committee on Highways and Bridges.

Mr. Dwinell, from the Committee on the Grand List, to which was referred a House bill entitled

H. 83. An act to legalize the grand lists of the town of Sharon for the years 1878 and 1879;

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Henry offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Secretary of the Senate be instructed to procure the printing of two thousand copies of the address of Gen. Martin T. McMahon, on the life and services of Major Gen. John Sedgewick, delivered before the Officers Reunion Society on the 11th day of November, A. D. 1880, for the use of the Historical Society, State Library and the General Assembly, as follows; to each member of the Senate and House of Representatives, two copies; to each town clerk, one copy; to each college, normal school and academy in this State, one copy; one copy to the Governor and each of the heads of departments; and to each judge of the supreme court, one copy; to the State library, two hundred copies; to the Vermont Historical Society, two hundred copies; and the remaining copies to the Vermont Officers Reunion Society;

Which was read and referred to the Committee on Printing.

Mr. Safford, from the Committee on the Judiciary, to which was referred a joint resolution providing for a joint assembly for the election of an assistant judge of the supreme court;

Reported recommending that the resolution be amended by striking out the words "fifteen minutes past two o'clock," and inserting in lieu thereof the words, *three o'clock in the afternoon;*

Which was agreed to;

Thereupon the resolution was adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered the report of the Conference Committee of the two Houses on Senate proposals of amendment to House bill entitled

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes,

And have agreed to the same.

The House have considered Senate proposals of amendment to House bill entitled

H. 104. An act relating to State Printing and Stationery,

And have concurred in the first, second and third proposals of amendment respectively, but do not concur in the fourth proposal thereof.

The House have considered Senate proposals of amendment to bills of the following titles:

H. 128. An act relating to adoptions and changes of names;

H. 162. An act to legalize the quadrennial appraisal of real estate for the year 1878, and the grand lists of the town of Cabot;

H. 186. An act relating to married women and suits brought by and against them;

H. 196. An act to legalize the grand lists of the town of Mount Tabor for the years 1878, 1879 and 1880;

And have concurred therein.

The House have considered Senate bills as follows:

S. 40. An act laying a tax on the county of Grand Isle;

S. 42. An act relating to prudential committees of high and central schools;

S. 118. An act to change the name of the Bickford Knitting Machine Manufacturing Company;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 57. An act to amend an act entitled, An act relating to the compensation of town superintendents, approved Nov. 21, 1878,

H. 150. An act giving women the right to vote and hold office in school districts;

H. 177. An act to legalize the grand list of the town of Stowe for the year 1880;

H. 190. An act making the records of the Signal Service Department of the United States evidence in court;

H. 217. An act to legalize the grand lists of the town of Woodstock for the years 1878, 1879 and 1880;

H. 255. An act to legalize the grand lists of the town of Sandgate for the years 1877, 1878, 1879 and 1880;

H. 257. An act to legalize the grand list of the town of Pomfret;

H. 288. An act to legalize the grand list of the town of Canaan for the year 1880;

H. 290. An act in addition to and in amendment of number nine of the acts of 1869 and number forty-two of the acts of 1876, relating to school districts sending scholars to academies in certain cases;

H. 300. An act to legalize the grand lists of the town of Franklin for the years 1877, 1878, 1879 and 1880;

H. 306. An act granting the use of the Court House at Bennington to the municipal court of the village of Bennington;

H. 310. An act relating to the election of trustees in the village of Winooski, and for other purposes;

H. 312. An act to amend an act entitled, An act to incorporate the village of Barton, approved November 21, 1874;

H. 322. An act to incorporate the First Baptist Society of the town of Bristol;

H. 323. An act changing the name of Norwich University;

H. 324. An act to enable the First Universalist Society of Halifax to dispose of its chapel;

In the passage of which the concurrence of the Senate is requested.

Mr. King offered the following proposal of amendment to the Constitution of the State relating to the power of the Governor to veto appropriation bills;

Resolved by the Senate, (two-thirds of the members thereof concurring), that the following be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont, viz.:

ARTICLE ——.

If any bill presented to the Governor contain several items of appropriation of money, he may object to one or more of such items while approving of the other portion of the bill. In such case, he shall append to the bill at the time of signing it, a statement of the items to which he objects; and the appropriation so objected to shall not take effect. He shall transmit to the House in which the bill originated a copy of such statement, and the items objected to shall be separately reconsidered. If, on reconsideration, one or more of such items be approved by a majority of the House, it shall, together with the objections, be sent to the other House, by which it shall likewise be reconsidered, and if approved by a majority of that House the same shall be a part of the law, notwithstanding the objection of the Governor.

In all such cases the votes in both Houses shall be determined by yeas and nays, and the names of the members voting shall be entered on the Journal of each House respectively;

Which was read and referred to the Committee on Constitutional Amendments.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR PRESIDENT:

I am directed by the Governor to inform the Senate that Dec. 2 he approved and signed bills originating in the Senate of the following titles, viz.:

S. 106. An act in amendment of and in addition to an act approved November 28, 1876, entitled, An act in amendment of an act to incorporate the village of St. Albans, approved November 18, 1859, and of the several amendments thereof heretofore enacted, and in amendment of act number two hundred and seven of the laws of 1878;

S. 31. An act to prevent and suppress contagious diseases among domestic animals;

S. 54. An act to pay Gilbert A. Davis the sum therein named;

S. 27. An act in amendment of sections two and fifteen of chapter sixty-one of the General Statutes;

S. 102. An act in relation to the files and records of the municipal court of St. Albans.

A House bill entitled

H. 264. An act in amendment of chapter twenty-five of the General Statutes, entitled, Of repairs of highways and bridges,

Was read the third time and passed in concurrence.

Mr. Henry, from the Committee of Conference on the disagreeing votes of the two Houses on a House bill entitled

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes,

Submitted the following report:

To the Honorable Senate:

The Committee of Conference appointed by the two Houses on the disagreeing votes on the Senate amendment to House bill number 112, respectfully report that they have met and after full and free conference thereon have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its proposal of amendment.

HUGH HENRY,
EDWARD S. DANA,
A. W. WOODWORTH,
} Managers on the part of the Senate.

L. H. THOMPSON,
B. F. FIFIELD,
R. C. ABELL,
} Managers on the part of the House.

Which was read and adopted on the part of the Senate.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 150. An act giving women the right to vote and hold office in school districts;

H. 190. An act making the records of the signal service department of the United States evidence in court;

To the Committee on the Judiciary.

H. 57. An act to amend an act entitled, An act relating to the compensation of town superintendents of schools, approved November 21, 1878;

H 290. An act in addition to and amendment of number nine of the acts of 1869, and number forty-two of the acts of 1876, relating to school districts sending scholars to academies in certain cases;

H. 323. An act changing the name of Norwich University;

To the Committee on Eucation.

H. 310. An act relating to the election of trustees in the village of Winooski, and for othe purposes;

To the Committee on Elections.

H. 177. An act to legalize the grand list of the town of Stowe for the year of 1880;

H. 217. An act to legalize the grand lists of the town of Woodstock for the years 1878, 1879 and 1880;

H. 255. An act to legalize the grand lists of the town of Sandgate for the years 1878, 1879 and 1880;

H. 257. An act to legalize the grand list of the town of Pomfret;

H. 288. An act to legalize the grand list of the town of Canaan for the year 1880;

H. 300. An act to legalize the grand lists of the town of Franklin for the years 1877, 1878, 1879 and 1880;

To the Committee on the Grand List.

H. 312. An act to amend an act entitled, An act to incorporate the village of Barton, approved November 21, 1874;

H. 322. An act to incorporate the First Baptist Society of the town of Bristol;

H. 324. An act to enable the First Universalist Society of Halifax to dispose of its chapel;

To the General Committee.

H. 306. An act granting the use of the court house at Bennington to the municipal court of the village of Bennington;

To a special committee, consisting of the Senators from Bennington county.

A House bill entitled

H. 111. An act abolishing court auditors and requiring their duties to be performed by the State Auditor,

Was read the third time.

Mr. Gleed moved that the Senate propose to the House to amend the bill by striking out section six;

Which was disagreed to;

Thereupon the bill was passed in concurrence.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposal of amendment to House bill entitled

H. 234. An act in amendment of and in addition to an act entitled, An act to incorporate the village of Brattleboro, approved October 29, 1872,

And have refused to concur therein;

And ask that a Committee of Conference be appointed on the disagreeing votes of the two Houses, and have on their part appointed as such committee,

Mr. Hooker of Brattleboro,
" Smith of Monkton,
" Abell of West Haven.

On motion of Mr. Bridgman, the Senate acceded to the request

of the House for the appointment of a Committee of Conference on the disagreeing votes of the two Houses on House bill entitled

H. 234. An act in amendment of and in addition to an act entitled, An act to incorporate the village of Brattleboro, approved October 29, 1872,

And the President appointed as such committee,

Senator Bridgman of Windham,
" Pember of Rutland,
" Safford of Franklin.

A House bill entitled

H. 211. An act relating to highway surveyors,

Was read the third time;

Thereupon Mr. Paul moved that the Senate propose to the House to amend the bill by striking out the word "three" and inserting in lieu thereof the word *one*;

Which was agreed to;

Whereupon, on motion of Mr. Dwinell, the bill was *ordered* to lie, and be made the special order for this afternoon at four o'clock.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 136. An act relating to taxable fees of authorized persons,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Gleason, from the Committee on the Judiciary, to which was referred a bill entitled

S. 105. An act to amend section eighteen of chapter thirty-one of the General Statutes, relating to the jurisdiction of justices of the peace,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered a joint resolution from the Senate providing for a joint assembly for the election of an assistant judge of the supreme court;

And have adopted the same in concurrence.

Mr. Gleason, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 176. An act to change the name of Katie A. Barnard and William W. Barnard,

Reported adversely to its passage in concurrence;

Thereupon, the third reading of the bill was refused.

Mr. Henry, from the Judiciary Committee, to which was referred a bill entitled

S. 145. An act in relation to the judges of the supreme court;

Reported without an expression of opinion;

Thereupon the third reading of the bill was refused.

Mr. Henry moved that the vote refusing a third reading to the bill be reconsidered;

Which was agreed to;

Whereupon, on motion of Mr. Dunton, the bill was *ordered* to lie.

A House bill entitled

H. 104. An act relating to State Printing and Stationery,

Having been returned from the House with their refusal to concur in the fourth proposal of amendment adopted by the Senate,

Was taken up.

Mr. Cook moved that the Senate insist upon its proposal of amendment and ask the House for a Committee of Conference on the disagreeing votes of the two Houses on said amendment;

Pending which,

Mr. Dunton moved that the Senate recede from its proposal of amendment;

Pending which,

Mr. Dunton moved that the bill and pending questions be referred to the Committee on Printing;

Which was disagreed to;

Thereupon Mr. Field moved that the bill and pending questions be recommitted to the Committee on Final Adjournment;

Which was agreed to.

Mr. Gleason, from the Committee on the Judiciary, to which was referred a bill entitled

S. 103. An act to change the names of Mary Addie Morrison and Minnie Ellen Morrison,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Safford, from the Judiciary Committee, to which was referred a House bill entitled

H. 156. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards,

Reported recommending that the Senate propose to the House to amend the bill by striking out the word "first," in line seven of section two;

Which was agreed to.

Mr. Henry moved that the Senate propose to the House to further amend the bill by striking out the word "first," in lines eleven and fifteen of section two;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

On motion of Mr. Robinson the Senate adjourned at twelve o'clock and fifteen minutes.

AFTERNOON.

Mr. Safford, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 173. An act in addition to chapter one hundred and twenty-one of the General Statutes,

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, by striking out the words, "committed to," in line one of section one, and inserting in lieu thereof the words, *confined in ;*

Second, by striking out after the word "collect," in line four of section one, the words, "and has been confined in such jail on such extent for eighteen months;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on House bill entitled

H. 234. An act in amendment of and in addition to an act entitled, An act to incorporate the village of Brattleboro, approved October 29, 1872;

And have adopted the same.

A bill entitled

S. 160. An act in relation to the filling of vacancies in office,

Was read the third time;

Thereupon, on motion of Mr. Bridgman, the bill was *ordered* to lie.

Mr. Dana moved that the Senate reconsider its vote refusing a third reading of a House bill entitled

H. 136. An act relating to the taxable fees of authorized persons;

And that the motion to reconsider be *ordered* to lie;

Which was agreed to;

Mr. Safford, from the Committee of Conference, presented the following report:

The Committee of Conference on the disagreeing votes of the two Houses on the amendments to House bill entitled

H. 234. An act in amendment of and in addition to an act entitled, An act to incorporate the village of Brattleboro, approved October 29, 1872,

Respectfully report that they have agreed to recommend to their respective Houses that the bill be amended as follows:

First, by striking out of the tenth, eleventh and twelfth lines of the fourth section the following words, "provided, however, that the bailiffs of said village shall have the especial charge and direction," and substituting in lieu thereof the words, *Provided, however, that either the bailiffs of said village or the chief engineer and the assistant engineers, as the village may vote, shall have the especial charge and direction;*

Second, by striking out the words, "without the concurrence and approval and by the direction of the bailiffs or a majority of them," in the twenty-fourth, twenty fifth and twenty sixth lines of the fourth section, and substituting in lieu thereof the words, *without the concurrence and approval and by the direction of either the bailiffs or the chief engineer and the assistant engineers, as the village may vote;*

And that when the bill is so amended the House concur in the Senate proposal of amendment.

J. D. BRIDGMAN, E. R. PEMBER, A. G. SAFFORD, } Committee on the part of the Senate.

GEORGE W. HOOKER, R. C. ABELL, L. E. SMITH, } Committee on the part of the House.

Which was read, and adopted on the part of the Senate.

A bill entitled

S. 78. An act to amend section six of chapter eighty-three of the General Statutes,

Was read the third time.

Mr. Gleed, from the Committee on Revision, moved that the bill be committed to a Senator to amend by striking out section one of said bill and inserting in lieu thereof the following:

Section 1. *The exemption from taxation of real and personal estate, granted, sequestered or used for public, pious or charitable uses, shall not be construed as exempting from taxation the property of railroad corporations;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Lamoille to amend;

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Dillingham,

S. 175. An act providing for the safe keeping of prisoners charged with crime;

To the Committee on the State Prison.

By Mr. Safford (by request),

S. 176. An act to prevent the improper interference with jurors in the trial of causes in the county court;

To the Committee on the Judiciary.

By Mr. North,

S. 177. An act providing for licensing stallions;

To the Committee on Agriculture.

By Mr. Gleason,

S. 178. An act to incorporate the Ely Copper Company;

To the Committee on Manufactures.

By Mr. Dunton,

S. 179. An act to amend the charter of the village of Rutland;

To the Committee on the Judiciary.

By Mr. King,

S. 180. An act in amendment of an act entitled, An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled, Of support and removal of and relief of the insane poor, approved November 26, 1878;

To the Committee on the Judiciary.

By Mr. Dana,

S. 181. An act in relation to persons confined in prison and under sentence of death;

To the Committee on the Judiciary.

By Mr. Bridgman,

S. 182. An act in amendment of section fifty-two of chapter one hundred and fourteen of the General Statutes;

To the Committee on the Judiciary.

By Mr. Peck,

S. 183. An act to incorporate the Masonic Relief Association of Vermont:

To the General Committee.

By Mr. Gleason,

S. 184. An act to incorporate the Pike Hill Copper Company;

To the Committee on Manufactures.

Mr. Start, from the Committee on the Judiciary, to which was referred a bill entitled

S. 124. An act in relation to the attachment and sale of mortgaged personal property;

Reported recommending that the bill be amended as follows:

First, by striking out after the word "action, in the sixth line of section four, the words, "by an order of the court in such case, when the debt on account of which the trustee is adjudged liable is not due at the time judgment is rendered in the original action;"

Second, by striking out all of section five and inserting in lieu thereof the following section:

Section 5. *When any such action is pending in the county or supreme court, if the trustee files with the clerk of such court a bond to the plaintiff in such action in a penal sum equal to the amount that the officer is directed to attach property in the writ, with sufficient sureties, to be approved by such clerk, conditioned that such trustee will pay the judgment rendered against him in such action, and that he will pay such sum or sums as he may be ordered by the court to pay to the plaintiff at any future time or times, and also a bond to the defendant in such action, in the penal sum aforesaid, with such sureties, to be approved of as aforesaid, conditioned that he will pay the balance due upon such mortgaye after paying such judgment and making such payments, and that, in case he is discharged as trustee, he will pay the amount secured by the mortgage, he may sell such property the same as if it had not been mortgaged or attached; and the purchaser of such property shall hold the same released from such mortgage and attachment;*

Third, By adding after the word "attached," in the fourth line of section seven of said bill, the words, *on mesne process;*

Fourth, By adding after the word "action," in the sixth line of section seven of said bill, the words, *against the mortgagor and mortgagee;*

Fifth, by adding after the word "are," in the ninth line of section seven of said bill, the word *adjudged;*

Which was agreed to;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to be engrossed and read the third time to-morrow morning.

Mr. Pember offered the following proposal of amendment to the Constitution of the State of Vermont, relating to the supreme court:

Resolved by the Senate, (two thirds of the members thereof concurring) that the following be proposed to the House of Representatives as an amendment to the Constitution of the State, viz.:

The Legislature may establish one supreme court for the State, and regulate the terms and places for holding the same;

Which was read and referred to the Committee on Constitutional Amendments.

Mr. Dunton (by request), offered the following proposal of amendment to the Constitution of the State, relating to the grand jury:

Resolved, (two thirds of the Senate concurring therein,) that the Senate propose to the House of Representatives that the Constitution of the State be amended by adding thereto the following, viz.:

The Legislature may abolish or prescribe the duties of the Grand Jury;

Which was read and referred to the Committee on Constitutional Amendments.

President *pro tempore* in the chair.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House.

Having returned therefrom,

On motion of Mr. Dana the Senate took a recess until eight o'clock and thirty minutes in the evening.

EVENING.

The recess having expired, the President resumed the chair.

Bills of the following titles were severally introduced, read the first and second times, and referred as follows:

By Mr. Henry,

S. 185. An act to diminish State expenses;

To the Committee on Education.

By Mr. Safford,

S. 186. An act in relation to the filling of vacancies in the offices of chief judge and assistant judges of the supreme court;

To the Committee on the Judiciary.

By Mr. Gleason,

S. 187. An act in amendment of an act approved November 19, 1866, entitled, An act relating to criminal prosecutions;

To the Committee on the Judiciary.

By Mr. Dana,

S. 188. An act to amend an act approved November 26, 1878, in relation to game birds;

To the Joint Committee on Game and Fisheries.

By Mr. Pember (by request),

S. 189. An act to repeal section six of act number one hundred and one of the laws of 1876;

To the Committee on the Judiciary.

By Mr. Woodworth,

S. 190. An act to repeal sections one, two and three of an act establishing a State Superintendent of Agricultural Affairs, approved November 26, 1878;

To the Committee on Agriculture.

By Mr. Weed,

S. 191. An act in relation to printing the Journals of the General Assembly;

To the Committee on Printing.

By Mr. Safford,

S. 192. An act in relation to unexpended balances of appropriations;

To the Committee on Finance.

On motion of Mr. Dunton the Senate adjourned.

SATURDAY, DECEMBER 4TH, 1880.

Reading of the Scriptures and prayer by Rev. A. Shepherd, a member of the House of Representatives from Brookfield.

On motion of Mr. Fuller the reading of the Journal of Friday was dispensed with.

A House bill entitled

H. 156. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards,

Was read the third time and passed in concurrence with proposal of amendments.

A bill entitled

S. 124. An act relating to the attachment and sale of mortgaged personal property,

Was read the third time and passed.

A House bill entitled

H. 173. An act in addition to chapter one hundred and twenty-one of the General Statutes,

Was read the third time;

Thereupon Mr. Dunton moved that the bill be amended by inserting after the word "collector," in the first line of section one the words, *or other person;*

Which was agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 105. An act to amend section eighteen of chapter thirty-one of the General Statutes, relating to the jurisdiction of justices of the peace,

Was read the third time;

Thereupon Mr. Dillingham, for the Committee on Rvision, moved that the bill be committed to a Senator to amend by inserting after section one the following section:

Section 2. *Section eighteen of chapter thirty-one of the General Statutes is hereby repealed;*

And by re-numbering section "two" section *three;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Washington to amend,

Who reported the same back amended agreeably to the instructions of the Senate.

Mr. Safford moved that the bill be committed to a Senator to fur-

ther amend by striking out the word "controverted," in the eleventh line of section one, and inserting in lieu thereof the words, *in issue;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. Sykes, from the Committee on Claims, to which was referred a bill entitled

S. 15. An act to pay Hazen B. Ladd the sum therein named;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution instructing the Senators and Representatives in Congress;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bills as follows:

S. 101. An act allowing municipal corporations to refund or renew their outstanding obligations;

S. 107. An act in relation to the State Prison;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 70 An act authorizing towns, ecclesiastical societies and cemetery associations to receive donations for the care of cemeteries and burial lots;

H. 265. An act appropriating money for the purposes of the House of Correction:

H. 291. An act in relation to certain bonds given to indemnify the State;

H. 321. An act to amend an act entitled, An act to create the Bennington Battle Monument Fund, approved November 12, 1880;

H. 335. An act giving an appeal to tax collectors in certain cases,

In the passage of which the concurrence of the Senate is requested.

Mr. Safford offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the joint committee to which was referred House bill number 249 and Senate bill number 108, relating to the commutations of the sentence of death of Edwin C. Hayden to imprisonment for life, are hereby empowered to call in behalf of the State and at its expense not exceeding six witnesses and the short-hand reporter who took the testimony at the trial of Hayden's case, at Irasburgh, before the jury, with a copy of said testimony;

Which was read and adopted on the part of the Senate.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 70. An act authorizing towns, ecclesiastical societies and cemetery associations to receive donations for the care of cemeteries and burial lots;

To the General Committee.

H. 265. An act appropriating money for the purposes of the House of Correction;

To tho Joint Committee on the House of Correction.

H. 291. An act in relation to bonds to indemnify the State against certain expenses which may accrue for the deaf, dumb and blind;

To the Committee on Finance.

H. 321. An act to amend an act entitled, An act to create the Bennington Battle Monument Fund, etc., approved November 12, 1880;

To the Committee on Finance.

H. 335. An act giving an appeal to tax collectors in certain cases;

To the Committee on the Judiciary.

Mr. Thatcher, from the Select Committee, to which was referred a House bill entitled

H. 306. An act granting the use of the court house at Bennington to the municipal court of the village of Bennington,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Field, from the Committee on Claims, to which was referred a bill entitled

S. 29. An act to pay George A. Hines the sum therein named;

Reported verbally that the Legislature of 1878 had considered said claim and that therefore it could not be further considered unless so *ordered* by a two-thirds vote of the Senate.

Mr. Henry, in the chair, ruled that the point was well taken;

And the question being put, Will the Senate agree to further consider the bill?

It was determined in the affirmative—yeas, 22; nays, 0.

Mr. Gleed moved that the bill be recommitted to the Committee on Claims and that said committee be directed to consider the merits of the claim;

Which was agreed to.

A joint resolution from the House of Representatives, as follows:

Resolved by the Senate and House of Representatives, That we request our Senators and Representatives in Congress that they use their influence to secure the passage of a law prohibiting the manufacturing and sale of ardent spirits in the United States;

Which was read and referred to the Committee on the State Prison.

Mr. Fuller, from the Committee on Finance, to which was referred a bill entitled

S. 53. An act establishing the salaries of certain State officers;

Reported recommending the adoption of a substitute bill therefor, as follows:

An act establishing the salaries of certain State officers.

It is hereby enacted by the General Assembly of the State of Vermont:

SECTION 1. The annual salary of the Quartermaster Genenal shall be four hundred and fifty dollars.

SEC. 2. The annual salary of the State Superintendent of Education shall be twelve hundred dollars and his actual traveling expenses while in the performance of the duties of his office and the expenses of procuring blank forms and postage. as provided by act approved November 18, 1874, but the whole amount paid to him by the State shall not exceed two thousand dollars.

SEC. 3. The annual salary of the Superintendent of the House of Correction shall be one thousand dollars. with rent and subsistence for himself and family on the premises of the House of Correction.

SEC. 4. The annual salary of the State Superintendent of Agriculture shall be twelve hundred dollars and his actual traveling expenses while in the performance the duties of his office, but the whole amount paid to him by the State shall not exceed two thousand dollars.

SEC. 5. The annual salary of the State Librarian shall not exceed eleven hundred dollars.

SEC. 6. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 7. This act shall take effect December 1, 1880;

Thereupon a bill entitled

S. 193. An act establishing the salaries of certain State officers;

Was read the first and second times and on motion of Mr. Dana *ordered* to lie over twenty-four hours and be printed.

Mr. North, from the Committee on Highways, Bridges and Ferries, to which was referred a bill entitled

S. 174. An act in relation to winter roads;

Reported in favor of its passage;

Thereupon the third reading of the bill was *ordered* for Monday morning.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a bill entitled

S. 147. An act relating to recognizances in criminal prosecutions,

Reported in favor of its passage when amended by striking out of the last line of section three the word "taken," and inserting in lieu thereof the word, *forfeited;*

Which was agreed to;

Thereupon the third reading of the bill was *ordered* for Monday morning.

On motion of Mr. Fuller the Senate adjourned at eleven o'clock and forty minutes.

AFTERNOON.

A House bill entitled

H. 211. An act relating to highway surveyors,

Was taken up and passed in concurrence, with proposals of amendment.

Mr. Blodgett, from the Committee on Banks, to which was referred a bill entitled

S. 166. An act relating to the report of receiver of insolvent savings banks and trust companies;

Reported in favor of its passage;

Thereupon the third reading of the bill was *ordered* for Monday morning.

Mr. Henry, from the Committee on the Judiciary, to which was referred a House bill entitled

S. 98. An act in amendment of and in addition to chapter ninety-nine of the General Statutes, relating to nuisances;

Reported in favor of its passage;

Thereupon the third reading of the bill was *ordered* for Monday morning.

A bill entitled

S. 169 An act to protect the owners of land adjoining streams and to prevent the pollution of water;

Was taken up and read the third time;

Thereupon, on motion of Mr. Field, the bill was *ordered* to lie and be made the special order for Monday afternoon at two and one-half o'clock.

On motion of Mr. Dunton the Senate adjourned.

MONDAY, DECEMBER 6TH, 1880.

Prayer by Rev. J. H. Hincks of Montpelier.

On motion of Mr. Fuller the reading of Saturday's Journal was dispensed with.

Bills of the following titles were severally read the third time and passed:

S. 98. An act in amendment of and in addition to chapter ninety-nine of the General Statutes, relating to nuisances;

S. 147. An act relating to recognizances in criminal prosecutions;

S. 166. An act relating to reports of receivers of insolvent savings banks and trust companies.

A bill entitled

S. 174. An act in relation to winter roads,

Was read the third time;

Thereupon Mr. Safford moved that the bill be committed to a Senator to amend by striking out the words "as are," in line six, section two;

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 137. An act in relation to limitation of actions,

Reported adversely to its passage;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 45. An act to pay McKinster Eddy the sum therein named;

H. 119. An act compelling certain railroad companies to keep a flagman at the Barber crossing in the town of Pownal;

H. 193. An act amending section forty-four of chapter twenty-two of the General Statutes;

H. 238. An act laying a tax on the county of Chittenden;

H. 232. An act in addition to an act to incorporate the Woodstock Railroad;

H. 298. An act to pay John Rivet the sum therein named;

H. 311. An act in amendment of an act entitled, An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents, approved November 18, 1878;

H. 357. An act in addition to an act to establish the municipal court of the village of Bennington, in the town and county of Bennington, approved November 17, 1880;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 79. An act to enable the Sand Bar Bridge Company to issue preferred stock for the purpose of building a highway and bridge;

And have passed the same in concurrence.

The House have considered joint resolution from the Senate relating to the production of evidence in matters pertaining to the commutation of the death sentence of Edwin C. Hayden;

And have adopted the same in concurrence.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage:

Thereupon the bills were severally *ordered* to be read the third time to-morrow morning;

By Mr. Safford, from the Committee on the Judiciary,

S. 134. An act in addition to an act compelling persons found intoxicated to disclose;

S. 154. An act relating to the election of the judges of the supreme court;

S. 162. An act in relation to the election of State officers.

By Mr. Dana, from the Committee on State Prison,

S. 175. An act providing for the safe keeping of prisoners charged with crime.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 45. An act to pay McKinster Eddy the sum therein named;

H. 298. An act to pay John Rivet the sum therein named;

To the Committee on Claims.

H. 119. An act compelling certain railroad companies to keep a flagman at Barber crossing in the town of Pownal, Vermont;

H. 232. An act in addition to an act to incorporate the Woodstock Railroad;

To the Committee on Railroads.

H. 238. An act laying a tax on the county of Chittenden;

To a select committee, consisting of the Senators from Chittenden county.

H. 193. An act amending section forty-four of chapter twenty-two of the General Statutes;

H. 311. An act in amendment of an act entitled, An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents, approved Nov. 18, 1878;

To the Committee on Education.

H. 357. An act in addition to an act to establish the municipal court in the village of Bennington, in the town and county of Bennington, approved Nov. 17, 1880;

To the Committee on the Judiciary.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 135. An act increasing the penalty for illegal sales of intoxicating liquor in certain cases,

Reported recommending that the bill be amended as follows:

By inserting after the word "who," in the sixth line of section one the words, *was intoxicated or;*

Which was agreed to.

Mr. Cook moved that the bill be further amended by adding thereto the following section:

Section 2. *If such intoxicated person shall fully disclose as provided in this act he shall be discharged without payment of fine or cost;*

Pending the adoption of which,

On motion of Mr. Cook, the bill was *ordered* to lie.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted the following joint resolutions:

Joint resolution approving civil service reform;

Joint resolution relating to the election of certain State officers;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 208. An act laying a tax on the grand list of the real estate of the town of Averill in the county of Essex;

H. 258. An act providing for commissioners of trusts, and defining their duties;

H. 319. An act to repeal chapter sixty-seven of the General Statutes;

H. 332. An act providing for the safe keeping of public records;

H. 371. An act to appropriate money for repairs and additions to the State Prison;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 94. An act to protect endorsers and sureties,

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

Mr. Safford, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 182. An act to incorporate the Woodstock Aqueduct Company,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 193. An act establishing the salaries of certain State officers,

Was taken up;

The question being, Shall the bill be read the third time?

Mr. Henry moved that the bill be *ordered* to lie;

Which was disagreed to.

Mr. Weed from the Committee on Railroads, to which was referred a bill entitled

S. 123. An act in addition to an act to incorporate the Rutland & Woodstock Railroad Company, approved November 3, 1865,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that Nov. 19 he approved and signed bills originating in the Senate of the following titles, viz.:

S. 51. An act to change the name of the Rutland County Trust Company, and to amend the act incorporating the same, approved November 8, 1872;

S. 47. An act to amend and consolidate the charter and laws relating to the Bellows Falls Village Corporation;

S. 81. An act to pay Tuttle & Company of Rutland the sum therein named;

And December 4,

S. 69. An act to incorporate the Enosburgh Falls Savings Bank.

Mr. Field, from the Committee on Claims, to which was referferred a bill entitled

S. 29. An act to pay George A. Hines the sum therein named,

Reported recommending that the blank in the first section of said bill be filled with the words, *one hundred and thirty eight and* 55-100 *dollars;*

Which was agreed to;

Thereupon the bill was read the third time and passed.

A bill entitled

S. 160. An act in relation to the filling of vacancies in office,

Was taken up and passed.

A bill entitled

S. 45. An act relating to the support of schools,

Was taken up;

And on motion of Mr. Safford, indefinitely postponed.

A bill entitled

S 73. An act to exempt property from taxation,

Was taken up.

Mr. Fuller moved that the bill be amended by adding thereto the words,

To an amount not exceeding three thousand dollars;

Pending the adoption which,

On motion of Mr. Fuller, the bill was *ordered* to lie.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 208. An act laying a tax on the grand list of the real estate of the town of Averill in the county of Essex;

To the Committee on Land Taxes.

H. 258. An act providing for commissioners of trusts, and defining their duties;

To the Committee on Banks.

H. 319. An act to repeal chapter sixty-seven of the General Statutes;

To the Committee on the Judiciary.

H. 332. An act providing for the safe keeping of public records;

To the General Committee.

H. 371. An act to appropriate money for repairs and additions to the State Prison;

To the Committee on the State Prison.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in the House of Representatives on Thursday, the 9th day of December, A. D. 1880, at two and one-half o'clock in the afternoon, for the election of a Secretary of State, Auditor of Accounts, Adjutant and Inspector General, Quartermaster General, Judge Advocate General, Railroad Commissioner, three Supervisors of the Insane, three Trustees of the University of Vermont and State Agricultural College, to serve for the period of three years from and including the first day of December, A. D. 1881. Also to elect a Trustee of the University of Vermont and State Agricultural College to serve until and including the first day of December, A. D. 1883, to fill the vacancy caused by the death of the late Asahel Peck. Also a State Superintendent of Education;

Was read and referred to the Committee on the Judiciary.

Also joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That we hail with satisfaction the efforts of President Hayes' administration

looking to the reform of the civil service, and would express it as our deliberate judgment that the President of the United States should exercise all the powers that inhere in his high office or are conferred upon him by the act of Congress of March 3d, 1871, in the matter of regulating admissions to the civil service and regulating the conduct of persons holding appointments therein.

Second. That we urge upon our Senators and Representatives in Congress the importance of this work and express the hope that they will exert their influence in behalf of all needful provisions, including necessary appropriations, for the prosecution of this reform by the President, and that our Senators and Representatives and the President be sent a copy of these resolutions;

Which was read and referred to the Committee on Federal Relations.

Mr Blodgett moved that the Senate do now adjourn;

Which was disagreed to.

A bill entitled

S. 94. An act to protect indorsers and sureties,

Was taken up,

Having been returned from the House with the following proposal of amendment:

Strike out in section two, line three, the word "receive" and insert in lieu thereof the word *recover;*

Pending the question, Will the Senate concur in the same?

On motion of Mr. Thatcher the Senate adjourned.

AFTERNOON.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills of the following titles:

H. 156. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards;

H. 211. An act relating to highway surveyors;

And have concurred therein.

The House have passed bills of the following titles:

H. 91. An act to legalize the grand lists of the town of Sheldon for the years 1879 and 1880;

H. 272. An act to legalize the grand list of the town of Brownington for the years 1878, 1879 and 1880;

H. 333. An act to pay James S. Peck, adjutant and inspector general, the sum therein named;

H. 340. An act to legalize the grand list of the town of Moretown for the year 1879;

H. 373. An act to establish an infantry company at Newport, Orleans County;

In the passage of which the concurrence of the Senate is requested.

Mr. Safford, from the Committee on Printing, to which was referred a bill entitled

S. 165. An act providing for the printing of a catalogue of the principal officers connected with the political history of the State,

Reported recommending that the bill be amended as follows:

First, By inserting after section two a new section,

Section 3. *There shall be printed two hundred copies of the House Journals of the following years, to wit:* 1778, 1785, *October session;* 1786, 1787, *October session; and* 1797, *February session, for the use of the State Library;*

Second, By striking out the word "volume" in the second line of section three and inserting in lieu thereof the word *volumes;*

Third, By adding to section three the following:

The total cost to the State for editing the official catalogue shall not exceed one hundred and fifty dollars;

Fourth, By re-numbering section "three" section *four;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Safford, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 357. An act in addition to an act to establish the municipal court in the village of Bennington, in the town and county of Bennington, approved November 17, 1880,

Reported in favor of its passage in concurrence;

Thereupon, on motion of Mr. Safford, the rule was suspended and the bill

Was read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 91. An act to legalize the grand list of the town of Sheldon for the years 1879 and 1880;

H. 272. An act to legalize the grand list of the town of Brownington for the years 1878, 1879 and 1880;

H. 340. An act to legalize the grand list of the town of Moretown for the year 1879;

To the Committee on the Grand List.

H. 333. An act to pay J. S. Peck, adjutant and inspector general, the sum therein named;

To the Committee on Claims.

H. 373. An act to establish an infantry company at Newport, Orleans County;

To the Committee on Military Affairs.

A bill entitled

S. 94. An act to protect endorsers and sureties,

Was taken up as unfinished business;

It having been under consideration when the Senate adjourned.

The question being, Shall the bill be *ordered* to lie?

The same was disagreed to;

Thereupon the proposal of amendment from the House was concurred in.

Mr. Field, from the Committee on Printing, to which was referred a bill entitled

S. 191. An act in relation to the printing of the Journals of the General Assembly,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Fuller, from the Committee on Finance, to which was referred a bill entitled

S. 192. An act in relation to the unexpended balances of appropriations,

Reported in favor of its passage;

Thereupon, on motion of Mr. Dillingham, the bill was *ordered* to lie.

A bill entitled

S. 169. An act to protect owners of land adjoining streams and to prevent the pollution of water,

Was taken up as a special order;

And on motion of Mr. Start again *ordered* to lie, and be made the special order for to-morrow afternoon at two o'clock and thirty minutes.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 93. An act directing the payment to Thomas Butler of the sum therein named;

H. 235. An act in addition to chapter eighty-eight of the General Statutes, relating to magnetic telegraph companies;

H. 287. An act entitled, An act for the re-organization and encouragement of the State militia;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 112. An act providing for the laying out of public parks or squares on petition of freeholders,

And have passed the same in concurrence.

Mr Field, from the Committee on Printing, to which was referred a joint resolution providing for the printing of the address of Gen. Martin T. McMahon before the Vermont Officers' Reunion Society, November 11, 1880;

Reported recommending that the resolution be amended by inserting after the word "copies," in the fifth line, the words *in pamphlet form;*

Which was agreed to.

Mr. King moved that the resolution be amended by inserting after the word "thousand," in the fifth line thereof, the words, *and five hundred;*

And that the resolution be further amended by striking out the word "two," in the sixteenth line thereof, and inserting in lieu of the same the word *four;*

Which amendments were severally agreed to,

Thereupon the resolution was adopted on the part of the Senate.

Mr. Dillingham called from the table a bill entitled

S. 192. An act in relation to the unexpended balances of appropriations,

And moved that the same be amended by inserting after the word "sums," in the second line of section one, the word *hereafter;*

Which was agreed to.

Mr. Dana moved to further amend the bill by inserting before the word "session," in the fourth line of section one, the word *regular;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning;

A bill entitled

S. 146. An act in amendment of act number sixty of the laws of 1878, entitled, An act in relation to the supervisors of the insane and the discharge of patients from insane asylums,

Was taken up as a special order;

Mr. Henry moved that the bill be committed to a Senator to amend as follows:

First, By striking out the word "one," in the twelfth line of section one, and inserting in lieu thereof the word *two;*

Second, By striking out the words "and one until the first day of December, 1886," in line fifteen of section one;

Third, By striking out the word "six," in the twenty-third line of section one, and inserting in lieu thereof the word *four;*

Pending the adoption of which,

On motion of Mr. Cook, the bill and amendments were ordered recommitted to the Committee on Insane Asylum.

House bills of the following titles were severally reported by Mr.

Thatcher from the Committee on Finance, to which they were referred,

In favor of their passage in concurrence;

Thereupon the bills were *ordered* to be read the third time to morrow morning;

H. 291. An act in relation to certain bonds given to indemnify the State;

H. 321. An act to amend an act entitled, An act to create the Bennington Battle Monument Fund, etc., approved November 12, 1880.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 93. An act directing the payment to Thomas Butler of the sum therein named;

To the Committee on Claims.

H 235. An act in addition to chapter eighty-eight of the General Statutes relating to magnetic telegraph companies;

To the General Committee.

H. 287. An act entitled, An act for the re-organization and encouragement of the State militia;

To the Committee on Military Affairs.

A bill entitled

S. 193. An act establishing the salaries of certain State officers,

Was taken up.

Mr. Dana moved that the fourth section of the bill be amended by striking out the word "twelve," in the third line of said section, and inserting in lieu thereof the word *six;*

Pending which,

Mr. Field moved to modify the amendment by changing the word "six" to the word *ten;*

Which was disagreed to.

Mr. Field again moved to modify Mr. Dana's amendment by substituting for the word "six" the word *eight;*

Which was disagreed to—yeas, 6; nays, 16.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Cook,	King,	Safford,
Field,	North,	Sykes—6.

Those Senators who voted in the negative are Messrs.

Blodgett,	Judevine,	Robinson,
Dana,	Lane,	Thatcher,
Darling,	Paul,	Weed,
Dillingham,	Peck,	Woodhouse,
Fuller,	Pember,	Woodworth—16.
Henry,		

So the amendment to the amendment was disagreed to.

The question being, Will the Senate agree to Mr. Dana's proposal of amendment?

It was decided in the negative—yeas, 7; nays, 16.

Mr. North having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Henry,	Thatcher,
Dana,	Lane,	Woodworth—7.
Darling,		

Those Senators who voted in the negative are Messrs.

Cook,	North,	Safford,
Dillingham,	Paul,	Start,
Field,	Peck,	Sykes,
Fuller,	Pember,	Weed,
Judevine,	Robinson,	Woodhouse—16.
King,		

So Mr. Dana's proposal of amendment was disagreed to.

Mr. Weed moved that the bill be amended by striking out section four, and inserting in lieu thereof a new section:

Section 4. The office of State Superintendent of Agriculture is hereby abolished, and the duties of the office shall be performed by the corporation of the University of Vermont and State Agricultural College without further compensation than that now received from the agricultural fund.

Mr. North moved that the bill and pending amendments be *ordered* to lie;

Which was disagreed to.

Mr. Dwinell moved to modify Mr. Weed's proposal of amendment by striking out all after the words "The office of State Superintendent of Agriculture is hereby abolished;"

Which was agreed to:

Thereupon the amendment offered by Mr. Weed, as amended, was agreed to.

Mr. Dana moved that the bill be further amended by striking out section two, and inserting in lieu thereof a new section:

Section 2. The office of State Superintendent of Education is hereby abolished;

Pending the adoption of which,

Mr. Dwinell moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Dwinell moved that the bill and pending amendment be *ordered* to lie and be made the special order for Wednesday afternoon;

Which was disagreed to.

The question being, Will the Senate agree to the proposal of amendment offered by Mr. Dana?

It was decided in the negative—yeas, 9; nays, 16.

Mr. Darling having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Cook,	Henry,	Weed,
Dana,	Safford,	Woodhouse,
Fuller,	Thatcher,	Woodworth—9.

Those Senators who voted in the negative are Messrs.

Blodgett,	Goodsell,	Peck,
Bridgman,	Judevine,	Pember,
Darling,	King,	Robinson,
Dillingham,	North,	Start,
Dwinell,	Paul,	Sykes—16.
Field,		

So the amendment was disagreed to.

Mr. Dillingham moved that the Senate reconsider its vote refusing to adopt Mr. Dana's proposal of amendment to said bill, and that the motion to reconsider be *ordered* to lie;

Which was agreed to.

Mr. Dana moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Safford, from the Committee on the Insane Asylum, to which was referred a bill entitled

S. 146. An act in amendment of act number sixty of the laws of 1878, entitled, An act in relation to the supervisors of the insane, and the discharge of patients from insane asylums;

Reported recommending that the bill be amended as follows (Mr. Henry having asked and had leave to withdraw his pending proposals of amendment):

First, By striking out the word "one," in the twelfth line of section one, and inserting in lieu thereof the word *two*;

Second, By striking out the words, in the fifteenth line of section one, "and one until the first day of December, 1886;"

Third, By striking out of lines twenty-one, twenty-two and twenty-three of said section, the words "one supervisor of the insane who shall hold his office for the term of six years," and inserting in lieu thereof the words, *two members of the board, one for the term of two years and one for the term of four years*;

Which were severally agreed to.

Mr. Paul moved that the bill be committed to a Senator to further amend by striking out in line forty-six, section one, the words, "at all times;"

Which was agreed to;

Thereupon the bill was committed to the Senator from Windsor to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly

examined the following bills, and have this day presented the same to the Governor for his approval:

S. 40. An act laying a tax on the county of Grand Isle

S. 42. An act relating to prudential committees of high and central schools;

S. 101. An act allowing municipal corporations to refund or renew their outstanding obligations;

S. 118. An act changing the name of the Bickford Knitting Machine Manufacturing Company;

S. 107. An act in relation to the State Prison;

L. K. FULLER,

For Committee on Bills.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 254. An act relating to the village of West Randolph;

H. 125. An act to prevent deception in sales of butter;

H. 108. An act to incorporate the Brandon Sewer Association;

H. 178. An act to legalize the grand list of the town of Chittenden for the year 1880;

H. 186. An act relating to married women and suits by and against them;

H. 112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes;

H. 32. An act for the relief of policy holders in life insurance companies;

H. 196. An act to legalize the grand lists of the town of Mount Tabor for the years 1878, 1879 and 1880;

H. 234. An act in amendment of and in addition to an act entitled, An act to incorporate the village of Brattleboro, approved October 29, 1872.

On motion of Mr. Weed the Senate adjourned at five o'clock and forty minutes.

TUESDAY, DECEMBER 7TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

On motion of Mr. Peck the reading of Monday's Journal was dispensed with.

Bills of the following titles were severally read the third time and passed:

S. 162. An act in relation to the election of State officers;

S. 191. An act in relation to the printing of the Journals of the General Assembly;

S. 192. An act in relation to the unexpended balances of appropriations;

S. 154. An act relating to the election of judges of the supreme court;

S. 175. An act providing for the safe keeping of prisoners charged with crime.

A bill entitled

S. 134. An act in addition to an act compelling persons found intoxicated to disclose,

Was read the third time;

Thereupon, on motion of Mr. Cook, the bill was *ordered* to lie.

Mr. Dwinell, from the Committee on the Grand List, reported a bill (as a substitute for S. 87,) entitled

S. 194. An act to equalize taxation;

Which was read the first and second times,

And *ordered* to lie twenty-four hours under the rule, and the Secretary was directed to procure the printing of five hundred copies of the bill for the use of the General Assembly.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 291. An act in relation to bonds to indemnify the State against certain expenses which may accrue for the deaf, dumb and blind;

H. 321. An act to amend an act entitled, An act to create the Bennington Battle Monument Fund, etc., approved November 12, 1880.

Mr. Cook called from the table a bill entitled

S. 134. An act in addition to an act compelling persons found intoxicated to disclose,

And moved that the bill be committed to a Senator to amend by addding to section one the following:

But if such person shall fully disclose he shall be discharged from the payment of any fine and cost;

Which was agreed to.

Thereupon the bill was committed to the Senator from Rutland to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the passage of the bill was refused—yeas, 10; nays, 15.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Cook,	Goodsell,	Peck,
Dana,	Judevine,	Pember,
Darling,	King,	Safford—10.
Fuller,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Gleason,	Robinson,
Bridgman,	Henry,	Start,
Dillingham,	Lane,	Sykes,
Dwinell,	North,	Weed,
Field,	Paul,	Woodhouse—15.

So the passage of the bill was refused.

Mr. Safford, for the Joint Committee on Insane Asylum, submitted the following report:

(For Report see Appendix.)

Which, on motion of Mr. Bridgman, was *ordered* to lie, and the Secretary directed to procure the printing of eight hundred and fifty copies of the same for the use of the General Assembly.

A bill entitled

S. 165. An act providing for the printing of a catalogue of the principal officers connected with the political history of the State,

Was read the third time;

And, on motion of Mr. Peck, *ordered* to lie.

Mr. Dillingham, from the Committee on Railroads, to which was referred a bill entitled

S. 113. An act in amendment of and in addition to section one of number thirty-four entitled, An act relating to railroad bridges, approved November 26, 1872,

Reported recommending that the bill be amended by inserting after the word "cars," in the seventeenth line of section one, the words, *and other cars for the transporting of special freights for which a higher class of cars are required;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 307. An act to restrain fowls;

H. 228. An act to amend section thirty of chapter one hundred and thirteen of the General Statutes;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 32. An act relating to change of venue in criminal cases,

And have passed the same in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 228. An act to amend section thirty of chapter one hundred and thirteen of the General Statutes, approved November 19, 1866;

H. 307. An act to restrain fowls;

To the Committee on Agriculture.

Mr. Dillingham, from the Committee on Railroads, to which was referred a bill entitled

S. 91. An act regulating the movement of trains at the crossing of one railroad by another railroad,

Reported recommeding that the bill be amended as follows:

First, By striking out the words "six hundred," in the ninth line of section one, and inserting in lieu thereof the words *one thousand;*

Second, By striking out of lines one and two of section four the words, "on the first day of December, 1880," and inserting in lieu thereof the words, *from its passage;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Fuller, from the same committee, to which was referred a a bill entitled

S. 22. An act to abolish the office of railroad commissioner,

Reported adversely to its passage;

Thereupon Mr. Safford moved that the bill be amended by striking out section two and inserting in lieu thereof a new section, viz.:

Section 2. *Sections from one hundred and nineteen to and including section one hundred and twenty-nine of chapter twenty-eight of the General Statutes, sections fourteen and fifteen of act number one of the laws of* 1870, *so much of section two, act number four of the laws of* 1870 *as relates to the reports of the railroad commissioner, and sections one and two of act number twenty-six of the laws of* 1876, *are hereby repealed;*

And that the bill with proposal of amendment be *ordered* to lie;

Which was agreed to.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

Thereupon the bills were read the third time and passed in concurrence:

By Mr. Field, from the Committee on Claims,

H. 93. An act directing the payment to Thomas Butler of the sum therein named.

By Mr. Dana, from the Committee on Railroads,

H. 232. An act in addition to an act to incorporate the Woodstock Railroad.

By Mr. Weed, from the Committee on Elections,

H. 310. An act relating to the election of trustees in the village of Winooski, and for other purposes.

By Mr. Field, from the Committee on Claims,

H. 298. An act to pay John Rivet the sum therein named.

Mr. Paul, from the Committee on Agriculture, to which was referred a bill entitled

S. 117. An act establishing the Vermont Board of Agriculture,

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting the following:

SECTION 1. The Governor of the State, the President of the University of Vermont and State Agricultural College and six other persons, appointed by the Governor and confirmed by the Senate, who shall hold their office until the first day of December in that year in which the regular biennial session of the General Assembly occurs next after their appointment, shall constitute the Vermont Board of Agriculture, for the improvement of agriculture and the general interests of husbandry and the promotion of agricultural education throughout the State. In case of vacancy in the board by reason of death, resignation or removal from the State of any member, or from any other cause, the Governor shall fill the vacancy by appointment, as in other cases.

SEC. 2. The members of the board shall receive two dollars per day each and their expenses necessarily incurred in the discharge of their duties. They shall elect a Secretary who shall hold his office until his successor shall have been elected. He shall not have or pursue any other business which shall interfere with the full performance of all the duties herein prescribed or which may be assigned to him by the board, and he shall be paid such sum as shall be determined upon by the board, and the entire expense of the board shall not exceed twenty-five hundred dollars annually.

SEC. 3. The board shall hold one meeting in each county in this State annually, and may hold as many more as it shall deem expedient, either independently or in connection with any society, association or other organization devoted to the same general object, and may in its discretion employ lecturers, essayists or other aids in the conducting of its affairs, and shall, as far as may be practicable, aid and encourage State and local associations and societies.

SEC. 4. The Secretary shall prepare, on or before the thirty-first day of July of that year in which the regular biennial session of the

General Assembly is held, a detailed report of the proceedings of the board with such suggestions and recommendations as the interests of agriculture may require, and may append thereto such abstracts of the proceedings of the several agricultural societies, dairymen's associations and farmers' clubs in the State as the board shall deem advisable. The report shall be printed in such manner as the board shall direct and such number as they shall deem advisable, five hundred copies of which shall be for the use of the State Librarian and General Assembly, and the remainder shall be distributed under the direction of the board. The expense of printing the report shall be included in the appropriation made in section two of this act.

SEC. 5. An act entitled, An act establishinga State Superintendent of Agricultural Affairs, approved November 26, 1878, is hereby repealed.

SEC. 6. This act shall take effect from its passage;

Which was agreed to.

Mr. Henry moved that the bill be *ordered* to lie and be printed;

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dana, from the Committee on State Prison, to which was referred a House bill entitled

H. 371. An act to appropriate money for repairs and additions to the State Prison;

Reported in favor of its passage in concurrence.

Mr. Fuller moved that the Senate propose to the House to amend the bill by striking out after the word "labor," in the thirteenth line of section one, the words "with room in the basement for engine and boiler,"

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Cook, from the Committee on Final Adjournment, to which was recommitted a House bill entitled

H. 104. An act relating to State Printing and Stationery,

Submitted a report, which the President ruled out of order.

The question being, Will the Senate recede from its proposal of amendment?

It was decided in the negative.

The question recurring on Mr. Cook's motion to insist on the amendment and ask for a Committee of Conference on the disagreeing votes of the two Houses on the fourth Senate proposal of amendment,

The same was agreed to.

The President announced as such committee on the part of the Senate,

Mr. Pember of Rutland,
" Start of Franklin,
" Paul of Windsor.

Mr. Dillingham offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the Sergeant-at-Arms be authorized to pay Walter A Weed, Jr., for sixteen days service as messenger in the Senate in place of Wm. G. Stearns, detained therefrom by illness;

Which was read, and adopted on the part of the Senate.

On motion of Mr. Fuller the Senate adjourned at twelve o'clock and fifteen minutes.

AFTERNOON.

Mr. Field, from the Committee on Claims, to which was referred a House bill entitled

H. 333. An act to pay James S. Peck, adjutant and inspector general, the sum therein named,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Safford, from the Committee on the Judiciary, to which was referred a joint resolution relating to the election of State officers,

Reported recommending that the Senate propose to the House to amend the resolution by striking out in the eighth and ninth lines thereof the words, "Railroad Commissioner, three Supervisors of the Insane;"

Which was agreed to.

Mr. Dana moved that the Senate further propose to the House to amend the resolution by striking out of the second line thereof the words, "Thursday, the ninth," and inserting in lieu thereof the words, *Tuesday, the fourteenth;*

Which was agreed to;

Thereupon the resolution was adopted in concurrence with proposals of amendment.

Mr. Dana called from the table a House bill entitled

H. 186. An act relating to taxable fees of authorized persons.

The question being, Will the Senate reconsider its vote refusing a third reading of the bill?

The same was agreed to,

And the bill *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bill entitled

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses,

And the passage of the bill in concurrence is refused.

The House have considered Senate bill entitled

S. 93. An act to abate and suppress nuisances,

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 80. An act allowing the libelant and libelee in cases of divorce to be witnesses,

And have refused the same a third reading.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

Thereupon the bills were *ordered* to be read the third time to morrow morning;

By Mr. Start, from the Committee on Education,

H. 197. An act relating to the compensation of superintendents of schools.

By Mr. Woodworth, from the General Committee,

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances.

By Mr. Henry, from the Committee on Military Affairs,

H. 287. An act entitled, An act for the re-organization and encouragement of the State militia.

By Mr. Woodworth, from the Railroad Committee,

H. 119. An act compelling certain railroad companies to keep a flagman at the Barber crossing in the town of Pownal, Vermont.

Mr. Henry, from the Committee on Military Affairs, to which was referred a House bill entitled

H. 373. An act to establish an infantry company at Newport, Orleans County,

Reported in favor of its passage in concurrence;

Thereupon the third reading of the bill was refused—yeas, 9; nays, 14.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleason,	Lane,
Brown,	Judevine,	Safford,
Fuller,	King,	Woodworth—9.

Those Senators who voted in the negative are Messrs.

Dana,	Field,	Robinson,
Darling,	Henry,	Sykes,
Dillingham,.	North,	Weed.
Dunton,	Paul,	Woodhouse—14.
Dwinell,	Pember,	

So the third reading of the bill was refused.

Mr. Woodworth, from the Committee on the Grand List, to which was referred a House bill entitled

H. 257. An act to legalize the grand list of the town of Pomfret,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time.

Mr. Dana moved that the Senate propose to the House to amend the bill by striking out in line two of section one the word "and" and inserting in lieu thereof the words *as to;*

Which was agreed to.

Mr. Dillingham moved that the Senate propose to the House to further amend the bill by striking out in line three of section one the word "are" and inserting in lieu thereof the word *is;*

Which was agreed to;

Thereupon the bill passed in concurrence with proposals of amendment.

A bill entitled

S. 169. An act to protect owners of land adjoining streams and to prevent the pollution of water,

Was taken up as a special order.

Mr. Dwinell moved to commit to a Senator to amend by striking out in line four of section two the word "sawdust;"

Which was disagreed to.

Mr. Dunton moved that the bill be committed to a Senator to amend by striking out section three;

Which was agreed to;

Thereupon the passage of the bill was refused.

A bill entitled

S. 93. An act to abate and suppress nuisances,

Was taken up, having been returned from the House with the following proposals of amendment:

First, By striking out of line four of section seven the word "forfeits," and inserting in lieu therof the words, *shall forfeit;*

Second, By adding to section seven the following:

And may recover of such tenant all damages arising from the termination of such tenancy in an action on the case;

Third, By striking out all after the word "dollars," in line six of section eight;

Fourth, By inserting in line one of section nine, before the word "jurisdiction," the word *concurrent*, and by inserting after the said word "jurisdiction," the words *with the county court;*

Thereupon, on motion of Mr. Bridgman, the bill and pending amendment was *ordered* to lie.

On motion of Mr. Dunton the Senate adjourned at four o'clock.

WEDNESDAY, DECEMBER 8TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

The reading of Tuesday's Journal was dispensed with on motion of Mr. Safford.

A House bill entitled

H. 287. An act entitled, An act for the re-organization and encouragement of the State militia,

Was read the third time;

Thereupon, on motion of Mr. Dana, the bill was *ordered* to lie.

A House bill entitled

H. 136 An act relating to taxable fees of authorized persons,

Was read the third time.

Mr. Safford moved that the Senate propose to the House to amend the bill by striking out all of section one after the word "officer," in the eighth line of said section;

Which was agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 143. An act in relation to the militia,

Was read the third time;

Thereupon the passage of the bill was refused.

A House bill entitled

H. 119. An act compelling certain railroad companies to keep a flagman at the Barber crossing in the town of Pownal,

Was read the third time and passed in concurrence.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 173. An act in addition to chapter one hundred and twenty-one of the General Statutes,

And have concurred therein.

The House have considered Senate proposal of amendment to joint resolution relating to certain State officers,

And have concurred therein.

The House have passed bills of the following titles:

H. 266. An act in further amendment of the several acts relating to the city of Burlington;

H. 269. An act relating to sureties on writs;

H. 443. An act ceding to the United States jurisdiction over sites for light houses on Lake Memphremagog;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 23. An act to amend section twelve of the Session Laws of 1876 entitled, An act concerning dogs, and for the protection of sheep and other domestic animals,

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

A House bill entitled

H. 197. An act relating to the compensation of superintendents of schools,

Was read the third time.

Mr. Dana moved that the Senate propose to the House to amend the bill by striking out all of section one between the word "selectmen," in the eleventh line, and the word "shall," in the sixteenth line of said section,

Which was agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 117. An act establishing the Vermont Board of Agriculture,

Was read the third time, and passed.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 304 An act to pay Solon Burroughs the sum therein mentioned;

H. 387. An act empowering probate courts to authorize guardi-

ans of insane persons and spendthrifts to mortgage the real estate of their wards;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

A House bill entitled

H. 371. An act to appropriate money for repairs and additions to the State Prison,

Was read the third time.

Mr. Fuller moved that the Senate propose to the House to amend the bill by striking out "section two," and inserting in lieu thereof a new section as follows:

Section 2. *None of the money herein appropriated shall be used or expended without the unanimous consent of the directors and the approval of the Governor;*

Pending the adoption of which,

On motion of Mr. Dana, the bill was *ordered* to lie, and be made the special order for Tuesday forenoon at eleven o'clock.

A House bill entitled

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances,

Was read the third time;

And, on motion of Mr. Safford, *ordered* to lie.

Mr. Fuller called from the table a bill entitled

S. 193. An act establishing the salaries of certain State officers.

The question being, Will the Senate reconsider its vote refusing to agree to the amendment proposed by the Senator from Addison?

Mr. Dunton moved that the bill and pending question be *ordered* to lie, and be made the special order for to-morrow afternoon at two and one-half o'clock;

Which was agreed to.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 266. An act in further amendment of the several acts relating to the city of Burlington;

To the General Committee.

H. 269. An act relating to sureties on writs,

To the Committee on the Judiciary.

H. 443. An act ceding to the United States jurisdiction over sites for light houses on Lake Memphremagog;

To the Committee under the Fourth Joint Rule.

Mr. Safford called from the table a House bill entitled

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances,

And moved that the Senate propose to the House to amend the bill as follows:

First, By striking out in line five, section one, the words, "first day of said January exhibiting," and inserting in lieu thereof the words *on the last day of December next preceding, exhibiting the orders protested by them during the year, giving the number, date, amount and payee of each, and;*

Second, By striking out the word "unpaid," in line fourteen of said section, and inserting in lieu thereof the words, *outstanding and unpaid at the commencement of the year and the orders protested by them during the year;*

Which were severally agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

Mr. Woodworth moved that the Senate reconsider its vote passing a bill entitled

S. 117. An act establishing the Vermont Board of Agriculture;

Pending which,

Mr. Fuller moved that the Senate do now adjourn;

Which was disagreed to.

After further consideration of the question, Will the Senate reconsider its vote?

On motion of Mr. North the Senate adjourned at twelve o'clock and forty-five minutes.

AFTERNOON.

Mr. Bridgman, from the Committee on Federal Relations, to which was referred a joint resolution approving civil service reform,

Reported recommeding its adoption in concurrence;

Thereupon, on motion of Mr. Dana, the resolution was *ordered* to lie.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 152. An act to authorize the building of a water spout or sluice in the valley of Brewster river, in the town of Cambridge,

Reported adversely to its passage;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to request the Senate to return to the possession of the House Senate bill entitled

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses.

The House have receded from their vote refusing to concur in Senate proposals of amendment to House bill entitled

H. 2. An act relating to the duties of the State's attorneys,

And concur therein.

Mr. Safford moved that the Senate return to the House agreeably to their request a bill entitled

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses;

And the same was agreed to.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 158. An act in relation to executions in cases of injunction and in cases of subsequent attaching creditors,

Reported recommeding that the bill be amended as follows:

First, By striking out in line fifteen, section two, the words "an alias execution," and inserting in lieu thereof the words *other executions;*

Second, By striking out in the eighteenth and nineteenth lines of said section the words "or alias execution," and inserting in lieu thereof the words *other executions;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 159. An act relating to intoxication,

Reported recommending that the bill be amended as follows:

By striking out in lines eleven, twelve, thirteen and fourteen of section one, the words "shall at any time be satisfied that such respondent is not conducting himself in a quiet and orderly manner," and inserting in lieu thereof the words, *shall thereafter consider that the public good or the well-being of the respondent requires;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage:

Thereupon the bills were severally *ordered* to be read the third time to-morrow morning;

By Mr. Safford, from the Committee on the Judiciary,

S. 167. An act in relation to injunctions restraining the collection of taxes:

S. 170. An act relating to the powers and authority of assistant judges of the county court;

S. 172. An act to repeal certain portions of chapter seventy-five of the General Statutes;

S. 180. An act in amendment of an act entitled, An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled, Of the support and removal of paupers and relief of the insane poor, approved November 26, 1878;

S. 182. An act in amendment of section fifty-two of chapter one hundred and fourteen of the General Statutes;

S. 189. An act to repeal section six of act number one hundred and one of the laws of 1876.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

Thereupon the bills were *ordered* to be read the third time to-morrow morning;

By Mr. Safford, from the Committee on the Judiciary,

H. 190. An act making the records of the Signal Service Department of the United States evidence in court.

By Mr. Robinson, from the Committee on Education,

H. 279. An act to incorporate the Vermont College of Teachers.

By Mr. King, from the Committee on Education,

H. 323. An act changing the name of the Norwich University.

By Mr. Dwinell, from the Committee on Grand List,

H. 272. An act to legalize the grand list of the town of Brownington for the years 1878, 1879 and 1880;

H. 217. An act to legalize the grand lists of the town of Woodstock for the years 1878, 1879 and 1880;

H. 340. An act to legalize the grand list of the town of Moretown for the year 1879.

By Mr. Lane, from the General Committee,

H. 187. An act to annex the town of Salem in the county of Orleans to, and make the same part of, the town of Derby, in said county.

By Mr. Judevine, from the Committee on Grand List,

H. 288. An act to legalize the grand list of the town of Canaan for the year 1880.

By Mr. Woodworth, from the Committee on Grand List,

H. 177. An act to legalize the grand list of the town of Stowe for the year 1880;

H. 300. An act to legalize the grand lists of the town of Franklin for the years 1877, 1878, 1879 and 1880.

By Mr. North, from the Committee on Claims,

H. 45. An act to pay McKinster Eddy the sum therein named.

By Mr. Woodworth, from the General Committee,

H. 282. An act to incorporate the Laurel Glen Cemetery Association.

Mr. Dana in the chair.

Mr. Sykes, from the General Committee, to which was referred a bill entitled

S. 99. An act to repeal an act entitled, An act in addition to and in amendment of an act changing the name of and relating to the Northfield Cemetery Association, approved November 14, 1869, approved November 28, 1876,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

Mr. Henry, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 319. An act to repeal chapter sixty-seven of the General Statutes,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 385. An act relating to fire district number two in the town of Manchester;

H. 318. An act to pay Clarence A. Gibbs the sum therein named;

H. 77. An act for the distribution of the Grammar School fund in the town of Brighton;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 15. An act to pay Hazen B. Ladd the sum therein named,

And have passed the same in concurrence.

Mr. Henry, from the Committee on Military Affairs, to which was referred a bill entitled

S. 60. An act in relation to the Military History of Vermont,

Reported recommending that the bill be indefinitely postponed;

Thereupon the third reading of the bill was refused.

Mr. Judevine, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 239. An act exempting certain property from taxation,

Reported without an expression of opinion;

Thereupon the third reading of the bill was refused.

Mr. Dillingham, from the Committee on Railroads, to which was referred a bill entitled

S. 92. An act in relation to the location of the Montpelier and White River Railroad,

Reported recommending the adoption of a substitute bill entitled

S. 196. An act extending the time for the completion of the Montpelier and White River Railroad, and for other purposes;

Which was read the first and second times and under the rule *ordered* to lie for twenty-four hours.

Mr. Bridgman, from the Judiciary Committee, to which was referred a bill entitled

S. 176. An act to prevent the improper interference with jurors in the trial of causes in the county court,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Field, from the Committee on Claims, to which was referred a bill entitled

S. 9. An act to pay Myron D. Hayward the sum therein named,

Reported recommending that the bill be dismissed;

Thereupon the third reading of the bill was refused.

Mr. Lane, from the Committee on Claims, to which was referred a bill entitled

S. 121. An act to pay Thomas Sargent, Jr., the sum therein named,

Reported recommending that the bill be amended by striking out the words "forty-six," in line four of section one, and inserting in lieu thereof the words *fifteen and* 60 100;

Which was agreed to;

Thereupon the bill was read the third time and passed.

Mr. Peck moved that the Senate request the House to return to its possession a House bill entitled

H. 176. An act to change the names of Katie A. Barnard and William W. Barnard,

Which was agreed to.

Mr. Henry moved that the Senate reconsider its vote refusing a third reading to a House bill entitled

H. 373. An act to establish an infantry company at Newport, Orleans County,

And that the motion to reconsider be *ordered* to lie;

Which was agreed to.

Mr. Safford called from the table a bill entitled

S. 152. An act to authorize the building of a water-spout or sluice in the valley of the Brewster river in the town of Cambridge,

And moved that the same be recommitted to the Committee on the Judiciary;

Which was agreed to.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed by the House to return to the Senate agreeably to their request, House bill entitled

H. 176. An act to change the names of Katie A. Barnard and William W. Barnard.

The House have passed bills of the following titles:

H. 223. An act to enable the pew owners and proprietors of the Union meeting house in East Montpelier to dispose of the same:

H. 397. An act establishing the line between the towns of Woodstock and Pomfret;

H. 438. An act defining the word "tramp;"

In the passage of which the concurrence of the Senate is requested.

Bills of the following titles were severally read the third time and passed:

S. 91. An act regulating the movement of trains at the crossing of one railroad by another railroad;

S. 113. An act in amendment of and in addition to section one of number thirty-four entitled, An act relating to railroad bridges, approved November 26, 1872.

Mr. Start submitted the following report, with accompanying bill Which was read.

Report of a majority of the Committee on the Reform School on the part of the Senate:

To the Honorable Senate now in session:

Your Committee, on the part of the Senate, on the Reform School, who were instructed by a joint resolution adopted in concurrence to visit said school, examine the same, and report by bill or otherwise, respectfully report that they have visited said Reform School, examined the same, and a majority of your committee recommend the passage of the accompanying bill:

HENRY R. START,
E. D. BLODGETT, } Committee on the part of the Senate

SENATE CHAMBER, Dec. 8, 1880.

Thereupon a bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Was read the first and second times, and *ordered* to lie over twenty-four hours under the rule, and be printed.

Mr. Start, from the Joint Committee on the Reform School, to which was referred a bill entitled

S. 88. An act in amendment of section one of an act relating to sentences to the Vermont Reform School, approved November 22, 1870,

Reported adversely to its passage.

Mr. Henry moved that the bill be amended by inserting after the words, "five years," in the nineteenth line of section one, the words, *nor less than three years;*

Pending the adoption of which,

On motion of Mr. Fuller, the bill was *ordered* to lie.

Mr. Peck moved that the rules be suspended and that the Senate reconsider its vote refusing a third reading to House bill entitled

H. 176. An act to change the names of Katie A. Barnard and William W. Barnard,

Which was agreed to;

Thereupon the bill was *ordered* recommitted to the General Committee.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred proposal of amendment to the Constitution of the State relating to filling of vacancies in the House and Senate,

Reported recommending that the same be proposed to the House of Representatives;

Which was agreed to—yeas, 22; nays, 0.

Mr. Safford called from the table a bill entitled

S. 137. An act in relation to limitation of actions;

Thereupon the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bill entitled

S. 83. An act simplifying indictments and informations for perjury and subornation of perjury,

And have refused the same a third reading.

The House have considered Senate bill entitled

S. 78. An act to amend section six of chapter eighty-three of the General Statutes,

And have passed the same in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 77. An act for the disposition of the grammar school funds in the town of Brighton;

To the Committee on Education.

H. 304. An act to pay Solon Burroughs the sum therein named;

H. 318. An act to pay Clarence A. Gibbs the sum named therein;

To the Committee on Claims.

H. 223. An act to enable the pew owners and proprietors of the Union meeting house in East Montpelier to dispose of the same;

H. 387. An act empowering probate courts to authorize guardians of insane persons and spendthrifts to mortgage the real estate of their wards;

H. 438. An act defining the word "tramp;"

To the Committee on the Judiciary.

H. 385. An act relating to fire district number two in the town of Manchester;

H. 397. An act establishing the line between the towns of Woodstock and Pomfret;

To the General Committee.

A bill entitled

S. 117. An act establishing the Vermont Board of Agriculture,

Was taken up as unfinished business;

Thereupon, on motion of Mr. Weed, the bill was *ordered* to lie.

A bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

Was taken up,

Having been returned from the House with the following proposal of amendment:

The House propose to the Senate to amend the bill by adding to section one the words,

But such presenting, protesting and giving notice shall be done upon the following day.

Pending the question, Will the Senate concur in the adoption of said amendment?

On motion of Mr. Dillingham the bill and amendment were *ordered* to lie.

A bill entitled

S. 23. An act to amend section twelve of the Session Laws of 1876 entitled, An act concerning dogs, and for the protection of sheep and other domestic animals,

Was taken up,

Having been returned from the House with the following proposal of amendment:

The House propose to the Senate to amend the bill by adding to section one as follows:

Provided, that the city or town treasurer shall keep an account of the amount paid into the treasury each year, under the provisions of this act, which shall constitute a dog fund: and if in any year the amount received for dog licenses is not sufficient to pay the amount awarded for damages to sheep and other domestic animals such deficiency shall be paid from the town treasury, provided there is a sufficient balance in favor of such fund, and if the city or town shall have voted at its annual March meeting that such balance may be so applied;

And the same was concurred in.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred proposal of amendment to the Constitution of the State changing the membership of the House of Representatives,

Reported recommending that the same be proposed to the House of Representatives;

Thereupon the Senate refused by the requisite two-thirds vote to so recommend said amendment.

Mr. Henry, from the Committee on Constitutional Amendments,

to which was referred proposal of amendment to the Constitution of the State relating to future amendments to the Constitution,

Reported recommending that the same be proposed to the House of Representatives;

Thereupon the Senate refused by the requisite two-thirds vote to so recommend said amendment.

On motion of Mr. Pember the Senate adjourned.

THURSDAY, DECEMBER 9TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

On motion of Mr. Bridgman the reading of the Journal for Wednesday was dispensed with.

Bills of the following titles were severally read the third time and passed:

S. 158. An act in relation to executions in case of injunction or of subsequent attaching creditors;

S. 159. An act relating to intoxication;

S. 167. An act in relation to injunctions restraining the collection of taxes;

S. 170. An act relating to the powers and authority of assistant judges of the county court;

S. 172. An act to repeal certain sections of chapter seventy-five of the General Statutes;

S. 180. An act in amendment of an act entitled, An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled, Of the removal of and relief of the insane poor, approved November 26, 1878;

S. 189. An act to repeal section six of act number one hundred and one of the laws of 1876.

House bills of the following titles were severally taken up, read the third time and passed in concurrence:

H. 190. An act making the records of the signal service department of the United States evidence in court;

H. 279. An act to incorporate the Vermont College of Teachers.

A bill entitled

S. 194. An act to equalize taxation,

Was taken up.

Mr. Start moved that the bill be amended:

First, By inserting after section eighteen, the following sections:

SEC. 19. The term "personal estate" shall include all property other than real estate and debts that are secured by mortgage or otherwise upon real estate.

SEC. 20. All notes, debts, contracts and bonds that are secured by mortgage or otherwise upon real estate shall for the purpose of taxation be considered an interest in real estate; and no deduction from a person's taxable personal estate shall hereafter be permitted in the making of any list by reason of debts that are so secured.

SEC. 21. Taxable real estate shall be set in the list to the last owner thereof on the first day of April in such year in the town, village, school and fire district where it is situated, except as is herein otherwise provided.

SEC. 22. In appraising real estate that is mortgaged and real estate in which any person other than the owner or possessor thereof has an interest on account of any lease, bond, contract or deed with defeasance the listers shall appraise the interest of the owner or possessor thereof at its cash value and set the sum in the list in the town, village, school and fire district where such real estate is situated, to such owner or possessor, and shall appraise the interest of the mortgagee of such real estate, or other persons having an interest therein as aforesaid, at its cash value, and set the same in the list in the town, village, school and fire district where such real estate is situated, to such mortgagee or other person having an interest therein.

SEC. 23. The interest of the mortgagee and other persons mentioned in section four of this act, shall be considered the interest that appears of record, unless the listers shall be satisfied that their interest is different from what appears of record.

SEC. 24. When any person shall claim that his interest in any real estate is different from the record thereof he shall deliver to some one of the listers twenty days previous to the time fixed by law for completing any list, a statement, in writing, of his interest in such real estate, signed by him, and verified by his oath.

SEC. 25. The town clerk shall prepare for the listers a list of the transfers and mortgages of real estate in the town, including transfers and payment of mortgages, leases and bonds, commencing on the second day of April of each year, and ending on the first day of April of the following year, with the name of the parties thereto, the number of acres included in each transfer, and if a mortgage, lease or bond, the amount secured thereby, and such other information as he is able to give as to such transfers, mortgages, leases and bonds.

SEC. 26. When any real estate or parcel of a piece of real estate has been transferred conditionally or otherwise, by deed, mortgage,

lease or other instrument, and when any mortgage, lease or other instrument has been assigned, paid or discharged in any year, the listers shall make such changes and appointment of the assessment thereon as they deem just.

SEC. 27. If any mortgagee of real estate shall neglect to pay any tax assessed to him on account of such real estate for thirty days after the same is due, the mortgagor of such real estate may pay such tax, and the sum so paid shall apply upon the mortgage debt.

SEC. 28. If any mortgagor of real estate shall neglect to pay any tax assessed to him on account of such real estate for thirty days after the same is due, the mortgagee of such real estate may pay the same, and the sum so paid shall be added to the mortgage debt.

Second, By re-numbering "section nineteen" *section twenty-nine ;*
Which was disagreed to—yeas, 7 ; nays, 21.

Mr. Peck having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Paul,	Start,
Gleason,	Peck,	Woodhouse—7.
North,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Pember.
Bridgman,	Gleed,	Robinson,
Brown,	Goodsell,	Safford,
Darling,	Henry,	Sykes,
Dillingham,	Judevine,	Thatcher,
Dwinell,	King,	Weed,
Field	Lane,	Woodworth—21.

So the amendment was disagreed to.

Mr. Start further moved that the bill be amended by adding to section one the following words:

Debts so owing and stated shall be deducted from the appraised value of such person's real and personal estate ;

Which was disagreed to—yeas, 5 ; nays, 17.

Mr. Start having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Field,	Lane,	Start—5.
Goodsell,	Paul,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Pember,
Bridgman,	Gleed,	Safford,
Brown,	Henry,	Sykes,
Dana,	Judevine,	Woodhouse,
Darling,	King,	Woodworth—17.
Dwinell,	Peck,	

So the amendment was disagreed to.

On motion of Mr. Start the Senate took a recess of ten minutes.

The recess having expired, the President resumed the chair.

Mr. Dana moved to strike out all of section three after the word "April," in the fourth line of said section;

Which was disagreed to.

Mr. Field moved that the bill be amended by striking out all of section three to the word "no," in the fourth line of said section;

Pending the adoption of which,

On motion of Mr. Dana, the Senate adjourned—yeas, 16; nays, 11.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Brown,	Judevine,	Pember,
Cook,	Lane,	Start,
Dana,	North,	Sykes.
Darling,	Paul,	Thatcher,
Field,	Peck,	Woodworth—16.
Gleason,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Goodsell,	Safford,
Bridgman,	Henry,	Weed,
Dwinell,	King,	Woodhouse—11.
Fuller,	Robinson,	

So the Senate adjourned at twelve o'clock and thirty minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted a joint resolution granting T. P. Harbour, Representative of the House from the town of Glastenbury, leave of absence the remainder of the session and allowing him to draw pay for his services;

In the adoption of which the concurrence of the Senate is requested.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the Representative from the town of Glastenbury is granted leave of absence after the 9th instant and during the remainder of the session, and that the mileage and debentures of Trenor P. Harbour be made up to include the 9th instant, and the Auditor of Accounts is hereby directed to draw his order on the Treasurer for the account,

Was read and adopted in concurrence.

Mr. Safford, from the Committee on the Judiciary, submitted a bill entitled

S. 198. An act to protect confidential communications to physicians and surgeons;

Which was read the first and second times and *ordered* to lie over, under the rule, twenty-four hours.

Mr. Pember, from the Committee on Agriculture, to which was referred a bill entitled

S. 177. An act providing for licensing stallions;

Reported recommending the adoption of an accompanying substitute bill:

Thereupon a bill entitled

S. 195. An act to improve the breeding of horses,

Was read the first and second times,

And, under a suspension of the rule, read the third time.

Mr. Henry moved that the bill be *ordered* to lie;

Which was disagreed to.

Mr. Fuller moved that the bill be committed to a Senator to amend by striking out the words "twenty-five," in lines four and five of section one, and inserting in lieu thereof the word *one;*

Which was disagreed to.

Mr. Weed moved that the bill be indefinitely postponed;

And the same was agreed to.

Mr. Lane, from the General Committee, to which was referred a bill entitled

H. 312. An act to amend an act entitled, An act to incorporate the village of Barton, approved November 21, 1874,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

Was taken up.

The question being, Will the Senate concur in the House proposal of amendment?

Mr. Woodhouse moved that the Senate do not concur, but ask the House for a Committee of Conference on the disagreeing votes of the two Houses on said amendment;

Which was agreed to.

Mr. Dwinell moved that the Senate reconsider its vote refusing a third reading to a bill entitled

H. 239. An act exempting certain property from taxation,

And that the motion to reconsider be *ordered* to lie;

Which was agreed to.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a House bill entitled

S. 149. An act relating to process in divorce cases,

Reported recommending that the bill be amended as follows:

By adding to section one the words, *or justice of the peace or master in chancery;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 193. An act establishing the salaries of certain State officers,

Was taken up as a special order.

The question being, Will the Senate reconsider its vote refusing to adopt the amendment offered by the Senator from Addison?

It was decided in the affirmative.

Mr. Dillingham moved that the pending amendment be amended by adding thereto the following words:

And the duties now required by law to be performed by said Superintendent of Education in distributing blanks shall be performed by the Secretary of State; and all returns now required by law to be made to said State Superintendent shall be made to the Secretary of State, and all duties of said Superintendent in appointing teachers and examiners of normal schools and in removing the same shall be performed by the Governor;

Which was agreed to—yeas, 21; nays, 8.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	North,
Bridgman,	Gleed,	Safford,
Brown,	Goodsell,	Sykes,
Cook,	Henry,	Thatcher,
Dana,	Judevine,	Weed,
Dillingham,	King,	Woodhouse,
Dunton,	Lane,	Woodworth—21.

Those Senators who voted in the negative are Messrs.

Darling,	Paul,	Robinson,
Field,	Peck,	Start—8.
Gleason,	Pember,	

So the amendment to the amendment was agreed to.

Whereupon the amendment proposed by the Senator from Addison, as amended,

Was agreed to;

And the bill was *ordered* to be read the third time to-morrow morning.

Mr. Safford called from the table a bill entitled

S. 22. An act to abolish the office of railroad commissioner;

Thereupon the pending proposal of amendment offered by the Senator from Franklin

Was agreed to.

The question being, Shall the bill be read the third time?

It was determined in the affirmative—yeas, 17; nays, 13.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Field,	Paul,
Bridgman,	Fuller,	Pember,
Brown,	Gleed.	Safford,
Cook,	Judevine,	Sykes,
Dunton,	King,	Thatcher—17.
Dwinell,	Lane,	

Those Senators who voted in the negative are Messrs.

Dana,	Henry,	Start,
Darling,	North,	Weed,
Dillingham,	Peck,	Woodhouse,
Gleason,	Robinson,	Woodworth—13.
Goodsell,		

So the bill was *ordered* to be read the third time to-morrow morning.

Mr. Henry moved to reconsider the vote by which the Senate refused to make

Proposal of amendment to the Constitution of the State changing the membership of the House of Representatives;

Which was agreed to—yeas, 22; nays, 7.

Mr. North having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Safford,
Bridgman,	Gleed,	Start,
Cook,	Goodsell,	Sykes,
Dana,	Henry,	Thatcher,
Darling,	King,	Weed,
Dillingham,	Lane,	Woodhouse,
Dunton,	Paul,	Woodworth—22.
Field,		

Those Senators who voted in the negative are Messrs.

Brown,	North,	Pember,
Dwinell,	Peck,	Robinson—7.
Judevine,		

So the vote was reconsidered.

The question being, Will the Senate make said proposal of amendment to the Constitution?

Two thirds of the members of the Senate having voted in the affirmative,

It was agreed to—yeas, 20; nays, 9.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Field,	Safford,
Bridgman,	Fuller,	Start,
Cook,	Gleed,	Sykes,
Dana,	Henry,	Thatcher,
Darling,	King,	Weed,
Dillingham,	Lane,	Woodhouse—20.
Dunton,	Paul,	

Those Senators who voted in the negative are Messrs.

Brown,	Judevine,	Pember,
Dwinell,	North,	Robinson,
Goodsell,	Peck,	Woodworth—9.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that Dec. 8 he approved and signed bills originating in the Senate of the following titles, viz.:

S. 118. An act changing the name of the Bickford Knitting Machine Manufacturing Company;

S. 107. An act in relation to the State Prison;

S. 40. An act laying a tax on the county of Grand Isle.

The President appointed as a Committee of Conference on the disagreeing votes of the two Houses on House proposals of amendment to a bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

Senator Woodhouse of Chittenden,
" Field of Windsor,
" Thatcher of Bennington.

A bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Was taken up;

The question being, Shall the bill be read the third time?

Mr. Paul moved that the bill be amended by inserting after the words "twenty-four," in the fourth line of section eighteen the words *in the shop;*

Which was agreed to.

Mr. Paul moved to further amend the bill by striking out section nineteen and inserting in lieu thereof the following section:

Section 19. *When a child is committed to the Reform School on conviction of a criminal offence, the town in which such child last resided, prior to such commitment, shall pay to the trustees of the Reform School, toward his maintenance at such school, or in any family where such child may be placed by the authorities of the school, one dollar per week so long as such child remains under the*

age of fourteen years, and fifty cents per week thereafter during the term of such commitment; but being an inmate or beneficiary of a charitable asylum shall not be such a residence as to charge the town in which the asylum is located with the maintenance of a child committed therefrom, if such child has no legal settlement in the State; but such child shall be chargeable to the town in which he last resided before becoming an inmate of the asylum;

Pending the adoption of which,

Mr. Gleed moved to amend the amendment offered by the Senator from Windsor by striking out, in line seven of said amendment, the words, "one dollar," and inserting in lieu thereof the words, *fifty cents;*

Pending which,

On motion of Mr. Dunton, the bill and proposals of amendment were *ordered* to lie, and be made the special order for to-morrow morning at eleven o'clock.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

By Mr. Peck, from the Joint Committee on the House of Correction,

H. 265. An act appropriating money for the purposes of the House of Correction;

By Mr. Goodsell, from the Committee on Education,

H. 290. An act in addition to and in amendment of number nine of the acts of 1869 and number forty-two of the acts of 1876, relating to school districts sending scholars to academies in certain cases.

Mr. King, from the Committee on Education, to which was referred a bill entitled

S. 151. An act relating to the grand list of school districts,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 352. An act in relation to telegraph companies;

H. 408. An act relating to estates of wards in other states or countries;

H. 356. An act to amend section twenty-four of chapter forty-eight of the General Statutes;

H. 325. An act to incorporate the Canaan Aqueduct Company;

H. 276. An act to legalize the grand lists of the town of Castleton for the years 1870, 1871, 1872, 1873, 1874–1880;

H. 215. An act to pay the brothers and sisters of Henry Wells, *alias* Walch, the amount of State pay now due the said Wells, *alias* Walch, from the treasury;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 147. An act relating to recognizances in criminal prosecutions,

And have passed the same in concurrence.

Mr. Robinson, from the select committee, to which was referred a House bill entitled

H. 238. An act laying a tax on the county of Chittenden,

Reported recommending that the Senate propose to the House to amend the bill by striking out the word "three," in line two of section one, and inserting in lieu thereof the word *two*;

Which was agreed to;

Thereupon the bill was read the third time, and passed in concurrence with proposals of amendment.

Mr. Robinson, from the select committee, to which was referred a bill entitled

S. 136. An act providing for the erection of a jail for the county of Chittenden, and laying a tax on said county,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

A message from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills, originating in the Senate, of the following titles, viz.:

S. 101. An act allowing municipal corporations to refund or renew their outstanding obligations;

S. 42. An act relating to prudential committees of high and central schools;

S. 78. An act to amend section six of chapter eighty-three of the General Statutes;

S. 15. An act to pay Hazen B. Ladd the sum therein named.

Mr. Start, from the Committee on Education, to which was referred a House bill entitled

H. 193. An act amending section forty-four of chapter twenty-two of the General Statutes,

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 32. An act relating to change of venue in criminal causes;

S. 79. An act to enable the Sand Bar Bridge Company to issue preferred stock for the purpose of building a highway and bridge;

S. 94. An act to protect endorsers and sureties;

S. 112. An act providing for the laying out of public parks or squares on petition of freeholders;

S. 15. An act to pay Hazen B. Ladd the sum therein named;

S. 78. An act to amend section six of chapter eighty-three of the General Statutes.

WALTER A. WEED,
For Committee.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills of the following titles:

H. 136. An act relating to the taxable fees of authorized persons;

H. 197. An act relating to the compensation of superintendents of schools;

And have concurred therein.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 162. An act to legalize the quadrennial appraisal of real estate for the year 1878, and the grand lists of the town of Cabot;

H. 111. An act abolishing court auditors and requiring their duties to be performed by the State Auditor;

H. 357. An act in addition to an act to establish the municipal court in the village of Bennington, in the town and county of Bennington, approved Nov. 17, 1880;

H. 93. An act directing the payment to Thomas Butler of the sum therein named;

H. 83. An act to legalize the grand lists of the town of Sharon for the years 1878 and 1879.

Mr. Paul moved to take from the table a bill entitled

S. 117. An act establishing the Vermont Board of Agriculture,

Which was agreed to.

The question being, Will the Senate reconsider its vote passing said bill?

It was determined in the affirmative—yeas, 15; nays, 9.

Mr. Bridgman having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dunton,	Lane,
Bridgman,	Fuller,	Peck,
Brown,	Goodsell,	Robinson,
Cook,	Judevine,	Weed,
Darling,	King,	Woodworth—15.

Those Senators who voted in the negative are Messrs.

Dana,	Henry,	Pember,
Dwinell,	North,	Safford,
Field,	Paul,	Sykes—9.

So the motion to reconsider was agreed to.

Mr. Dana moved that the bill be committed to a Senator to amend by striking out of section two all after the word "duties," in the fifth line of said section, to the word "and," in the fifteenth line of said section, and inserting in lieu thereof the words,

They shall designate one of their number who shall serve as Secretary;

Pending the adoption of which,

Mr. Bridgman moved that the bill be indefinitely postponed;

Which was agreed to—yeas, 14; nays, 12.

Mr. Paul having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dunton,	Peck,
Bridgman,	Goodsell,	Robinson,
Brown,	Judevine,	Weed,
Cook,	Lane,	Woodworth—14.
Darling,	North,	

Those Senators who voted in the negative are Messrs.

Dana,	Gleed,	Pember,
Dwinell,	Henry,	Safford,
Field,	King,	Start,
Fuller,	Paul,	Sykes—12.

So the bill was indefinitely postponed.

On motion of Mr. Fuller the Senate adjourned at five minutes past five o'clock.

FRIDAY, DECEMBER 10TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

On motion of Mr. Safford the reading of Thursday's Journal was dispensed with.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 215. An act to pay the brother and sisters of Henry Wells, *alias* Walsh, the amount of State pay now due the said Wells, *alias* Walsh from the treasury;

To the Committee on Claims.

H. 276. An act to legalize the grand lists of the town of Castleton for the years 1870, 1871, 1872, 1873, 1874 and 1880;

To the Committee on the Grand List.

H. 352. An act in relation to telegraph companies;

To the General Committee.

H. 325. An act to incorporate the Canaan Aqueduct Company;

H. 356. An act to amend section twenty-four of chapter forty-eight of the General Statutes;

H. 408. An act relating to estates of wards in other states or counties;

To the Committee on the Judiciary.

A House bill entitled

H. 265. An act appropriating money for the purposes of the House of Correction,

Was read the third time.

Thereupon Mr. Fuller moved that the Senate propose to the House to amend the bill by adding to section two the following:

Provided, however, that no part of this appropriation shall be expended without the consent of the directors and approval of the Governor;

Which was disagreed to—yeas, 9; nays, 18.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Dwinell,	Lane,
Brown,	Fuller,	Robinson,
Cook,	Gleed,	Weed—9.

Those Senators who voted in the negative are Messrs.

Blodgett,	Henry,	Safford,
Dana,	Judevine,	Start,
Darling,	King,	Sykes,

Dillingham,	North,	Thatcher,
Field,	Paul,	Woodhouse,
Goodsell,	Peck,	Woodworth—18.

So the amendment was disagreed to;

Thereupon the bill was passed in concurrence.

Mr. Henry offered the following resolution:

Resolved, That when the Senate adjourns this afternoon it shall be to assemble on Monday, the 13th day of December, 1880, at two o'clock in the afternoon:

Which was read.

Mr. Dana moved that the resolution be amended by striking out the word "this," in the second line thereof, and inserting in lieu of the same the words, *to-morrow*;

Which was disagreed to;

Thereupon the resolution was adopted.

A message from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that Dec. 9 he approved and signed bills originating in the Senate of the following titles, viz.:

S. 112. An act providing for the laying out of public parks or squares on petition of freeholders;

S. 94. An act to protect indorsers and sureties;

S. 79. An act to enable the Sand Bar Bridge Company to issue preferred stock for the purpose of building a highway and bridge;

S. 32. An act relating to change of venue in criminal cases.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 114. An act to pay the Rutland County National Bank the sum therein named;

H. 289. An act requiring certain railroad trains to have brakes operated from the engine;

H. 313. An act to preserve the collections of the Vermont Historical Society;

H. 400. An act to amend number two hundred and thirty-three of the acts of 1878;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 123. An act in addition to an act to incorporate the Rutland & Woodstock Railroad Company, approved November 3, 1865,

And have passed the same in concurrence.

The House have appointed as a Conference Committee on the disagreeing votes of the two Houses on House bill entitled

H. 104. An act relating to State Printing and Stationery,

Mr. Stone of Danville,
" Howe of Ludlow,
" Page of Rutland.

A bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Was taken up as a special order.

The question being, Will the Senate adopt the amendment proposed by the Senator from Lamoille to the amendment offered by the Senator from Windsor?

Mr. Gleed asked and was granted leave to withdraw his amendment;

Thereupon Mr. Paul asked and was granted leave to withdraw his proposal of amendment.

The question being, Shall the bill be read the third time?

Mr. Paul moved to amend the bill by inserting after the word "week," in the twelfth line of section nineteen, the words, *and for all children fourteen or more years of age committed to such school fifty cents per week during the term of such commitment;*

Pending the adoption of which,

Mr. Dana moved to amend the amendment offered by the Senator from Windsor by adding thereto the following:

Towns in which any person resides who is sentenced to the House of Correction shall contribute the sum of fifty cents per week to the directors for the maintenance of such person at such House of Correction;

Pending the question on the amendment of the Senator from Addison,

On motion of Mr. Fuller the Senate adjourned.

AFTERNOON.

Mr. Goodsell moved to reconsider the vote whereby the Senate ndefinitely postponed a bill entitled

S. 117. An act establishing the Vermont Board of Agriculture,

Which was agreed to;

Thereupon, on motion of Mr. Goodsell, the bill was *ordered* to lie

Mr. Dana called from the table a House bill entitled

H. 152. An act declaring women to be eligible to the offices of town clerk and town superintendent.

The question being, Will the Senate reconsider its vote passing said bill in concurrence?

The same was disagreed to.

Mr. Safford, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 150. An act giving women the right to vote and hold office in school districts,

Reported the same back to the Senate without an expression of opinion;

Thereupon the bill was *ordered* to be read the third time,

And on motion of Mr. Safford, under a suspension of the rule,

The bill was read the third time and passed in concurrence—yeas, 25; nays, 2.

Mr. Pember having demanded the yeas and nays, they were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleed,	Pember,
Brown,	Henry,	Robinson,
Dana,	Judevine,	Safford,
Darling,	King,	Sykes,
Dillingham,	Lane,	Thatcher,
Dunton,	North,	Weed,
Dwinell,	Paul,	Woodhouse,
Field,	Peck,	Woodworth—25.
Fuller,		

Those Senators who voted in the negative are Messrs.

Goodsell, Start—2.

So the bill was passed in concurrence.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

Mr. President:

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 291. An act in relation to certain bonds given to indemnify the State;

H. 156. An act in addition to chapter seventy-two of the General Statutes, entitled, Of guardians and wards;

H. 321. An act to amend an act entitled, An act to create the Bennington Battle Monument Fund, etc., approved November 12, 1880;

H. 306. An act granting the use of the Court House at Bennington to the municipal court of the village of Bennington;

H. 298. An act to pay John Rivet the sum therein named;

H. 310. An act relating to the election of trustees in the village of Winooski, and for other purposes;

H. 173. An act in addition to chapter one hundred and twenty-one of the General Statutes.

Mr. Goodsell moved that the Senate reconsider its vote adopting a resolution relating to adjournment;

Which was agreed to.

Mr. Dana moved to amend the resolution so that it should read as follows:

Resolved, That when the Senate adjourn on Saturday it shall be to assemble on Monday, the 13th day of December, at two o'clock and fifteen minutes in the afternoon;

Pending the adoption of which,

Mr. Fuller moved to amend the amendment by striking out "two o'clock and fifteen minutes," and inserting in lieu thereof the words, *four o'clock;*

Which was disagreed to.

Mr. Lane moved that the resolution be *ordered* to lie;

Which was disagreed to;

Thereupon the amendment proposed by the Senator from Addison was agreed to—yeas, 14; nays, 13.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Field,	Pember,
Dana,	Fuller,	Safford,
Darling,	Judevine,	Sykes,
Dunton,	King,	Thatcher—14.
Dwinell,	North,	

Those Senators who voted in the negative are Messrs.

Brown,	Lane,	Start,
Dillingham,	Paul,	Weed,
Gleed,	Peck,	Woodhouse,
Goodsell,	Robinson,	Woodworth—13.
Henry,		

So the amendment was agreed to;

Thereupon the resolution as amended was adopted—yeas, 16; nays 12.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	North,
Dana,	Gleed,	Pember,
Darling,	Goodsell,	Sykes,
Dunton,	Judevine,	Thatcher,
Dwinell,	King,	Woodhouse—16.
Field,		

Those Senators who voted in the negative are Messrs.

Brown,	Lane,	Safford,
Cook,	Paul,	Start,
Dillingham,	Peck,	Weed,
Henry,	Robinson,	Woodworth—12.

So the resolution was adopted.

A bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Was taken up as unfinished business.

Mr. Dana asked and was granted leave to withdraw his proposal of amendment to the amendment offered by the Senator from Windsor;

Thereupon the amendment offered by the Senator from Windsor was disagreed to—yeas, 11; nays 17.

Mr. Paul having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Brown,	Field,	Peck,
Cook,	Fuller,	Pember,
Dunton	Gleason,	Safford—11.
Dwinell,	Paul,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Judevine,	Sykes,
Dana,	King,	Thatcher,
Darling,	Lane,	Weed,
Dillingham,	North,	Woodhouse,
Gleed,	Robinson,	Woodworth—17.
Henry,	Start,	

So the amendment was disagreed to.

Mr. Gleed moved to amend the bill by striking out the words "one dollar," in the twelfth line of section nineteen, and inserting in lieu thereof the words *fifty cents;*

Which was disagreed to—yeas, 12; nays, 14.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dillingham,	North,
Brown,	Gleed,	Start,
Dana,	Henry,	Thatcher,
Darling,	Judevine,	Woodhouse—12.

Those Senators who voted in the negative are Messrs.

Cook,	King,	Robinson,
Dunton,	Lane,	Safford,
Dwinell,	Paul,	Sykes,
Fuller,	Peck,	Woodworth—14.
Gleason,	Pember,	

So the amendment was disagreed to.

Mr. Gleed further moved to amend the bill by striking out sections nineteen, twenty, twenty one and twenty two;

Which was agreed to.

Mr. Paul moved that the bill be further amended by striking out section sixteen and inserting in lieu thereof the following:

Section 16. *A sum not exceeding five thousand dollars is hereby appropriated to be used by the trustees of the Reform School for the purpose of providing extra sleeping room, a reading room, with suitable books and papers therein, and such other accommodations as in their judgment may meet the wants of the school. Every boy confined in the school who conforms to the regulations of the school shall be permitted to spend not less than two hours out of every twenty-four in said reading room.*

Pending the adoption of which,

On motion of Mr. Dana *ordered* to lie and be made the special order for Tuesday forenoon at eleven o'clock.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Sykes, from the General Committee,

H. 322. An act to incorporate the First Baptist Society of the town of Bristol.

By Mr. Field, from the Committee on Claims,

H. 304. An act to pay Solon Burroughs the sum therein named.

By Mr. Sykes, from the Committee on Claims,

H. 318. An act to pay Clarence A. Gibbs the sum therein named.

By Mr. Sykes, from the General Committee,

H. 385. An act relating to fire district number two in the town of Manchester.

By Mr. Lane, from the General Committee,

H. 397. An act establishing the line between the towns of Woodstock and Pomfret.

By Mr. Pember, from the committee under the fourth joint rule,

H. 443. An act ceding to the United States jurisdiction over sites for light houses on Lake Memphremagog.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence;

Thereupon the bills were severally *ordered* to be read the third time to-morrow morning:

By Mr. King, from the Committee on Education,

H. 57. An act to amend an act entitled, An act relating to the compensation of town superintendents, approved November 21, 1878.

By Mr. Robinson, from the Committee on Education,

H. 311. An act in amendment of an act entitled, An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents, approved November 18, 1878.

Mr. Dana called from the table a bill entitled

S. 49. An act in relation to the duties of the Adjutant and Inspector General.

The question being, Will the Senate reconsider its vote refusing a third reading to said bill?

The same was disagreed to.

Mr. Henry, from the Committee on the Judiciary, to which was referred a bill entitled

S. 161. An act to regulate elections;

Reported adversely to its passage;

Thereupon Mr. Fuller moved that the bill be amended by inserting after the word "meeting," in the fifth line of section one, the words, *upon objection being made;*

Which was agreed to;

Thereupon, on motion of Mr. Dunton, the bill was *ordered* to be recommitted to the Committee on Elections.

Mr. North, from the Select Committee on Highways and Bridges and Land Taxes, to which was referred a House bill entitled

H. 64. An act relating to highways and bridges, and liabilities of towns as to damages,

Reported recommending that the Senate propose to the House to amend the bill by adding thereto the following section:

Section 13. *This act shall not release towns from liabilities for damages arising from the insufficiency of bridges of eight feet span or over.*

Pending the adoption of which,

On motion of Mr. Dunton the bill and amendment were *ordered* to lie, and made the special order for Tuesday forenoon at ten and one-half o'clock.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a bill entitled

S. 155. An act relating to the support of paupers;

Reported in favor of its passage;

Thereupon, on motion of Mr. Dillingham, the bill was *ordered* to lie.

Mr. Paul, from the Committee on Agriculture, to which was referred a House bill entitled

H. 307. An act restraining fowls;

Reported adversely to its passage.

Mr. Peck moved that the Senate propose to the House to amend the bill by striking out the word "turkeys," in the second line of section one;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time Wednesday forenoon at ten and one-half o'clock.

Mr. Peck, from the Committee on Manufactures, to which was referred a bill entitled

S. 178. An act to incorporate the Ely Copper Company;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

Mr. Fuller, from the Committee on Manufactures, to which was referred a bill entitled

S. 184. An act to incorporate the Pike Hill Copper Company;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

A bill entitled

S. 151. An act relating to the grand list of school districts,

Was read the third time and passed.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 337. An act laying a tax on the county of Bennington,

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 138. An act in relation to the duties of justices of the peace in certain cases;

And have refused to pass the same in concurrence.

The House have considered Senate bill entitled

S. 110. An act in amendment of section one of act number seventy-seven of the laws of 1872, entitled, An act to provide for the payment of ordinary county expenses;

And the House refuse to reconsider its vote whereby the third reading of the bill was refused.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 119. An act compelling certain railroad companies to keep a flagman at the Barber crossing in the town of Pownal;

H. 333. An act to pay James S. Peck, adjutant and inspector general, the sum therein named;

H. 45. An act to pay McKinster Eddy the sum therein named;

H. 264. An act in amendment of chapter twenty-five of the General Statutes, entitled, Of repairs of highways and bridges;

H. 177. An act to legalize the grand list of the town of Stowe for the year of 1880;

H. 288. An act to legalize the grand list of the town of Canaan for the year 1880;

H. 340. An act to legalize the grand list of the town of Moretown for the year 1879;

H. 272. An act to legalize the grand lists of the town of Brownington for the years 1878, 1879 and 1880;

H. 323. An act changing the name of Norwich University;

H. 217. An act to legalize the grand lists of the town of Woodbury for the years 1878, 1879 and 1880;

H. 300. An act to legalize the grand lists of the town of Franklin for the years 1877, 1878, 1879 and 1880;

H. 190. An act making records of the Signal Service Department of the United States evidence in court;

H. 187. An act to annex the town of Salem in the county of Orleans to, and make the same part of, the town of Derby, in said county.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 23. An act to amend section twelve of the Session Laws of 1876 entitled, An act concerning dogs, and for the protection of sheep and other domestic animals;

S. 123. An act in addition to an act to incorporate the Rutland & Woodstock Railroad Company, approved November 3, 1865;

S. 147. An act relating to recognizances in criminal prosecutions.

WALTER A. WEED,
For Committee.

Mr. Safford moved that the vote passing a bill entitled

S. 178. An act to incorporate the Ely Copper Company,

Be reconsidered;

Which was agreed to;

Thereupon Mr. Safford moved that the bill be committed to a Senator to amend by adding to section eight the words, *And shall be subject to future legislatures to alter, amend or repeal as the public good may require;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A bill entitled

S. 193. An act establishing the salaries of certain State officers,

Was read the third time;

Thereupon Mr. Dillingham, from the Committee on Revision, moved that the bill be committed to a Senator to amend as follows:

First, by striking out section five and inserting in lieu thereof the following:

Section 5. *The salary of the State Librarian shall be fixed by the trustees of the State Library at not more than eleven hundred dollars a year; and the librarian shall at his own expense furnish two assistants during each session of the General Assembly, and shall pay for any other assistance which he requires in the care and management of the library.*

Second, By striking out section six and insesting in lieu thereof the following:

Section 6. *Number fifteen of the acts of* 1878, *sections five, six and eight of number one hundred and thirty-six of the acts of* 1878, *section two of number one hundred and twenty-two of the acts of* 1876, *and all acts and parts of acts inconsistent with this act are hereby repealed;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Washington to amend,

Who reported the same back amended agreeably to the instructions of the Senate.

Mr. Dana moved that the bill be committed to a Senator to further amend by striking out in section seven the words "December 1, 1880," and inserting in lieu thereof the words, *from its passage;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Addison to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed—yeas 15; nays, 3.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Peck,
Dana,	Fuller,	Safford,
Darling,	Goodsell,	Sykes,
Dillingham,	Judevine,	Weed,
Dunton,	North,	Woodworth—15.

Those Senators who voted in the negative are Messrs.

Field,	King,	Paul—3.

So the bill was passed.

Mr. Safford moved to amend the title of the bill by adding thereto the words, *and abolishing the offices of State Superintendent of Education and State Superintendent of Agricultural Affairs;*

Which was agreed to.

Mr. Woodworth, from the General Committee, to which was referred a House bill entitled

H. 263. An act to legalize and incorporate the Congregational Society of New Haven;

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 22. An act to abolish the office of railroad commissioner;

Was read the third time;

Thereupon, on motion of Mr Safford, the bill was *ordered* to lie, and be made the special order for Tuesday forenoon at ten o'clock and thirty minutes.

Mr. Safford moved to take from the table and recommit to the Committee on Printing a bill entitled

S. 165. An act providing for the printing of a catalogue of the principal officers connected with the political history of the State,

Which was agreed to.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 114. An act to pay the Rutland County National Bank the sum therein named;

To the Committee on Claims.

H. 289. An act requiring railroad trains to have brakes operated from the engine;

To the Committee on Railroads.

H. 313. An act to preserve the collections of the Vermont Historical Society;

To the Joint Committee on the Library.

H. 400. An act to amend number two hundred and thirty-three of the acts of 1878;

To the Committee on Highways and Bridges.

H. 337. An act laying a tax on the county of Bennington;

To a select committee of the Senators from Bennington county.

Mr. Safford, from the Committee on the Judiciary, submitted a bill entitled

S. 199. An act in relation to fines and costs in certain cases;

Which was read the first and second times and *ordered* to lie over, twenty-four hours, under the rule and be printed.

Mr. Safford moved that the Senate reconsider its vote indefinitely postponing a bill entitled

S. 195. An act to improve the breeding of horses;

Which was agreed to;

Thereupon on motion of Mr. Safford the bill was *ordered* to lie.

The President laid before the Senate the following communication, with the accompanying document:

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, December 10, 1880.

To the President of the Senate:

SIR:—I have the honor to transmit herewith to the Senate, for the use of the General Assembly, the biennial report of the trustees of the Vermont State Library.

ROSWELL FARNHAM,
Governor.

(For Report see Appendix.)

Mr. Safford, from the Joint Committee on Game and Fisheries, to which was referred a bill entitled

S. 119. An act to repeal sections one, two and six of number fifty-six of the acts of 1876, entitled, An act for the further protection of fish and game;

Reported in favor of its passage;

Thereupon on motion of Mr. Dunton the bill was *ordered* to lie.

On motion of Mr. North the Senate adjourned at five o'clock and forty-five minutes.

SATURDAY, DECEMBER 11TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

On motion of Mr. Fuller the reading of Friday's Journal was dispensed with.

Bills of the following titles were severally read the third time and passed:

S. 149. An act relating to process in divorce cases;

S. 182. An act in amendment of section fifty-two of chapter one hundred and fourteen of the General Statutes.

A bill entitled

S. 199. An act in relation to fines and costs in certain cases,

Was taken up;

And on motion of Mr. Dunton *ordered* re-committed to the Committee on the Judiciary.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 330. An act to stop interest on overdue town and school district orders;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 129. An act laying a tax on the county of Bennington;

S. 154. An act relating to the election of the judges of the supreme court;

S. 162. An act relating to the election of State officers;
S. 95. An act to regulate practice in the court of chancery;
And have refused the same a third reading.

The House have considered Senate proposals of amendment to House bill entitled

H. 238. An act laying a tax on the county of Chittenden;
And have concurred therein.

The House have considered Senate proposals of amendment to House bill entitled

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances;
And refuse to concur therein, and request a Committee of Conference.

The House have appointed as such Committee of Conference on the disagreeing votes of the two Houses,

Mr. Butterfield of Whitingham,
" Hinckley of Chelsea,
" Abell of West Haven.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 193. An act amending section forty-four of chapter twenty-two of the General Statutes;

H. 290. An act in addition to and amendment of number nine of the acts of 1869 and number forty-two of the acts of 1876, relating to school districts sending scholars to academies in certain cases.

A House bill entitled

H. 330. An act to stop interest on overdue town orders,

Was read the first and second times and referred to the Committee on Finance.

Mr. Dana, from the Committee on Railroads, to which was referred a House bill entitled

H. 289. An act requiring railroad trains to have brakes operated from the engine;

Reported in favor of its passage in concurrence;

Thereupon, under a suspension of the rule, the bill was read the third time and passed in concurrence.

Mr. Sykes, from the select committee consisting of the Senators from Bennington county, to which was referred a House bill entitled

H. 337. An act laying a tax on the county of Bennington;

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

Mr. King, from the Joint Committee on the Library, to which was referred a bill entitled

H. 313. An act to preserve the collections of the Vermont Historical Society;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time Tuesday morning.

Mr. North, from the Committee on Highways and Bridges, to which was referred a House bill entitled

H. 400. An act to amend number two hundred and thirty-three of the acts of 1878;

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 115. An act requiring justices to keep accounts and make certain returns;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time Monday afternoon.

A House bill entitled

H. 311. An act in amendment of an act entitled, An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents, approved November 18, 1878,

Was read the third time.

Mr. Dillingham, from the Committee on Revision, moved that the Senate propose to the House to amend the bill as follows:

First, By striking out the first seven lines of section one;

Second, By striking out the words, "section four of this act, in lines eighteen and nineteen of said section one, and inserting in lieu thereof the word *law*;

Which were agreed to;

Thereupon, on motion of Mr. Dana, the bill was *ordered* to be re-committed to the Committee on Education.

A House bill entitled

H. 57. An act to amend an act entitled, An act relating to the compensation of town superintendents, approved Nov. 21, 1878,

Was read the third time;

Thereupon, on motion of Mr. Dana, the bill was *ordered* to lie.

A bill entitled

S. 196. An act extending the time for the completion of the Montpelier and White River Railroad and for other purposes;

Was read the third time, and passed.

A bill entitled

S. 198. An act to protect confidential communications to physicians and surgeons;

Was taken up;

And on motion of Mr. Dunton *ordered* to be re-committed to the Committee on the Judiciary.

A House bill entitled

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances,

Was taken up, having been returned from the House with a refusal to concur in the Senate proposal of amendment to the bill and a request for the appointment of a Committee of Conference on the disagreeing vote of the two Houses on said amendment;

Thereupon the Senate agreed to the appointment of a Committee of Conference;

And the President announced as such committee,

Senator Lane of Orleans,
" Fuller of Windham,
" Gleed of Lamoille.

Mr. Dunton, for a majority of the Committee on the Judiciary, submitted a bill entitled

S. 200. An act providing for the attachment of mortgaged personal property;

Which was read the first and second times and *ordered* to lie, under the rule, for twenty-four hours and be printed.

Mr. Dunton offered the following proposal of amendment to the Constitution, relating to reprieves, commutations and pardons:

Resolved by the Senate, (two-thirds of the members thereof concurring,) that the following article be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont:

ARTICLE ——.

The Governor shall have power to remit fines and forfeitures, and to grant reprieves, commutations and pardons after conviction, for all offences, except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying therefor; but in cases of conviction of murder no pardon shall be granted nor sentence commuted except upon the recommendation in writing of a board consisting of the Lieutenant Governor, Secretary of State and three assistant judges of the supreme court, appointed by the chief judge, or any four of such board after a full hearing upon due public notice and in open session, and such recommendation, with the reasons therefor at length, shall be recorded and filed in the office of the Secretary of State. Upon conviction of treason he shall have power to suspend the execution of the sentence until the case shall be reported to the General Assembly, which shall either pardon, commute or direct the execution of the sentence, or grant further reprieve. He shall biennially report to the General Assembly each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the sentence, commutation or reprieve;

Which was read, and referred to the Committee on Constitutional Amendments.

On motion of Mr. Fuller the Senate adjourned at eleven o'clock and thirty minutes.

AFTERNOON.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution from the Senate for the payment to Walter A. Weed, Jr., of the sum therein named;

And have adopted the same in concurrence.

The House have passed bills of the following titles, viz.:

H. 99. An act to repeal an act to regulate the practice of medicine and surgery in the State of Vermont;

H. 138. An act to protect fish in Lily Pond in Athens;

H. 339. An act in amendment of and in addition to section seven of chapter one hundred and twenty-one of the General Statutes of Vermont;

H. 433. An act amending the second section of an act to incorporate the village of Montpelier, approved November 14, 1855;

H. 446. An act to amend section nine of chapter forty-eight of the General Statutes;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles, viz.:

S. 55. An act in amendment of number sixty-four of the acts of 1876, relating to appeals from justices of the peace;

S. 90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting;

S. 158. An act in relation to executions in case of injunctions or of subsequent attaching creditors;

S. 172. An act to repeal certain sections of chapter seventy-five of the General Statutes;

And have passed the same in concurrence.

The House have considered Senate bills of the following titles, viz.:

S. 64. An act vesting police powers, and punishing depredations upon fair grounds;

S. 124. An act relating to the attachment and sale of mortgaged personal property;

And have passed the same in concurrence with proposals of amendment.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 99. An act to repeal an act to regulate the practice of medicine and surgery in the State of Vermont;

To the General Committee.

H. 138. An act to protect fish in Lily Pond in Athens;

To the General Committee.

H. 339. An act in amendment of and in addition to section seven of chapter one hundred and twenty-one of the General Statutes of the State of Vermont;

To the Committee on the Judiciary.

H. 433. An act amending the second section of an act to incorporate the village of Montpelier, approved November 14, 1855;

To the Committee on the Judiciary.

H. 446. An act to amend section nine of chapter forty-eight of the General Statutes;

To the Committee on the Judiciary.

Mr. Dana offered the following resolution:

Resolved, That the Committee on Court Expenses be requested to report a bill to reduce the unnecessary expense in canvassing the votes for Presidential Electors;

Which was read and adopted.

On motion of Mr. North the Senate adjourned at two o'clock and thirty minutes.

MONDAY, DECEMBER 13TH, 1880.

The Senate convened at two o'clock and fifteen minutes agreeably to adjournment.

Prayer by the Chaplain.

Reading of Saturday's Journal dispensed with on motion of Mr. Blodgett.

A bill entitled

S. 200. An act providing for the attachment of mortgaged personal property,

Was taken up,

And, on motion of Mr. Dunton, *ordered* to be recommitted to the Committee on the Judiciary.

Mr. Safford, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 438. An act defining the word "tramp,"

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Sykes, from the special committee, to which was referred a bill entitled

S. 70. An act to change the name of the town of Ely to that of Vershire and to repeal an act entitled, "An act altering the name of the town of Vershire to that of Ely, approved November 26, 1878;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

A House bill entitled

H. 115. An act requiring justices to keep accounts and make certain returns,

Was read the third time;

Thereupon, on motion of Mr. Dana, the bill was *ordered* to lie.

Mr. Dillingham moved that the Senate return to the House agreeably to their request a bill entitled

S. 95. An act to regulate practice in the courts of chancery,

Which was agreed to.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 399. An act to incorporate the Dover Center Store Company;

H. 412. An act to amend section five of the act of incorporation of the village of St. Johnsbury;

To the General Committee.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the Joint Committee on Final Adjournment are hereby directed to report to-morrow morning, with or without an expression of opinion, the joint resolution offered in the House on December 10th, by the member from Springfield, relating to a final adjournment;

Was read and referred to the Committee on Final Adjournment.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 55. An act in amendment of number sixty four of the acts of 1876, relating to appeals from justices of the peace;

S. 90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting;

S. 116. An act to incorporate the Freewill Baptist Society of the town of Sutton;

S. 121. An act to pay Thomas Sargent, Jr., the sum therein named;

S. 158. An act in relation to executions in cases of injunctions or of subsequent attaching creditors;

S. 172. An act to repeal certain portions of chapter seventy-five of the General Statutes.

WALTER A. WEED,

For Committee.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 412. An act to amend section five of the act of incorporation of the village of St. Johnsbury;

H. 399. An act to incorporate the Dover Center Store Company;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 116. An act to incorporate the Freewill Baptist Society of the town of Sutton;

S. 121. An act to pay Thomas Sargent, Jr., the sum therein named;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 38. An act in amendment of section four of chapter ninety-four of the General Statutes;

And have refused the same a third reading.

The House have considered joint resolution from the Senate providing for the printing of the address of General Martin T. McMahon before the Officers' Reunion Society, November 11, 1880;

And have adopted the same in concurrence.

The House have on their part adopted a joint resolution relating to reports of Committee on Final Adjournment;

In the adoption of which the concurrence of the Senate is requested.

I am directed by the House to request the Senate to return to the possession of the House Senate bill entitled

S. 95. An act to regulate practice in the court of chancery.

Mr. Dana called from the table a House bill entitled

H. 115. An act requiring justices to keep accounts and make certain returns,

And moved that the Senate propose to the House to amend the bill by inserting after section seven the following sections:

Sec. 8. *It shall be the duty of justices of the peace in the hearing of all criminal cases to write down in substance the testimony of all witnesses testifying before him in said case.*

Sec. 9. *When the case tried before said justice is within the ju-*

risdiction of said justice to try and determine, and an appeal is taken by the respondent in such case, it shall be the duty of such justice to file with the clerk of the county in which such proceeding was had the testimony taken in such case, at least two days before the next session of the county court within and for said county.

Sec. 10. *When the case tried before said justice is beyond the jurisdiction of said justice to try and determine, said justice shall file the testimony thus taken by him with the clerk of the county in which such proceeding is had, with a certified copy of the records and process in the cause required to be filed by justices of the peace, by the provisions of section seven of chapter thirty-one of the General Statutes;*

And that section "eight" be re-numbered section *eleven;*

Which were severally agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 64. An act vesting police powers, and punishing depredations upon fair grounds,

Was taken up, having been returned from the House with the following proposals of amendment:

First, By striking out the words "or county," in line two of section one, and inserting in lieu thereof the words *county, town or other incorporated;*

Second, By striking out the words "or county," in line two, section three, and inserting in lieu thereof the words *county, town or other incorporated agricultural society or;*

Which were concurred in.

A bill entitled

S. 124. An act relating to the attachment and sale of mortgaged personal property,

Was taken up, having been returned from the House with the following proposals of amendment:

First, By striking out the words "on the case founded," in line four of section two;

Second, By striking out the words "on the case founded," in line four, section four;

Third, By striking out the word "the" before the word "penal," in line ten, section five, and inserting in lieu thereof the word *a;*

Fourth, By striking out the word "aforesaid," in the eleventh line of said section five, and inserting in lieu thereof the words *double the amount of the mortgage debt;*

Which, on motion of Mr. Safford, the Senate refuse to concur in.

Mr. Safford called from the table a bill entitled

S. 93. An act to abate and suppress nuisances.

The question being, Will the Senate agree to House proposals of amendment?

The same were concurred in.

Mr. Peck presented the petition of J. P. Demerritt and twelve others, and also the petition of William Gay and others relating to running railroad trains on the Sabbath;

And the same were referred to the Committee on Railroads.

Mr. Safford offered the following proposal of amendment to the Constitution in relation to the charters of corporations;

Resolved by the Senate, (two-thirds of the members thereof concurring,) that the following be proposed to the House of Representatives as an amendment to the Constitution of the State:

ARTICLE ——.

The Legislature shall not hereafter pass any law creating a corporation, unless the same shall be made subject to the right of future Legislatures to alter, amend or repeal, as the public good may require;

Which was read, and referred to the Committee on Constitutional Amendments.

On motion of Mr. Dwinell the Senate took a recess of thirty minutes.

The recess having expired the President *pro tempore* assumed the chair.

On motion of Mr. Safford the Senate adjourned.

TUESDAY, DECEMBER 14TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

The reading of Monday's Journal was, on motion of Mr. Fuller, dispensed with.

A House bill entitled

H. 438. An act defining the word "tramp,"

Was read the third time and passed in concurrence.

A House bill entitled

H. 313. An act to preserve the collections of the Vermont Historical Society,

Was read the third time,

And, on motion of Mr. Bridgman, *ordered* to lie.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 448. An act entitled, The Revised Laws of Vermont, 1880,

In the passage of which the concurrence of the Senate is requested.

A House bill entitled

H. 448. An act entitled, The Revised Laws of Vermont, 1880,

Was read the first and second times and referred to the Committee on Revision of the Laws.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that December 13 he approved and signed bills, originating in the Senate, of the following titles, viz.:

S. 123. An act in addition to an act to incorporate the Rutland and Woodstock Railroad Company, approved November 3, 1865;

S. 147. An act relating to recognizances in criminal prosecutions;

S. 23. An act to amend section twelve of the Session Laws of 1876 entitled, An act concerning dogs, and for the protection of sheep and other domestic animals;

S. 121. An act to pay Thomas Sargent, Jr., the sum therein named;

S. 55. An act in amendment of number sixty-four of the acts of 1876, relating to appeals from justices of the peace;

Also a joint resolution for the payment to Walter A. Weed, Jr., of the sum therein named.

Mr. Cook, from the Committee on Final Adjournment, to which was referred a joint resolution from the House, relating to report of Committee on Final Adjournment,

Reported the same back to the Senate without an expression of opinion;

Thereupon, on motion of Mr. Fuller, the resolution was *ordered* to lie.

A bill entitled

S. 194. An act to equalize taxation,

Was, on motion of Mr. Dwinell, taken up and made a special order for this afternoon at three and one half o'clock.

Mr. Henry, from the Special Committee on Constitutional Amendments, to which was referred proposal of amendment to the Constitution, relating to the returning and canvassing of votes for State officers,

Reported recommending that the Senate make said proposal of amendment to the Constitution and ask the House to concur therein;

Pending the adoption of which,

On motion of Mr. Dunton *ordered* to lie.

A bill entitled

S. 22. An act to abolish the office of railroad commissioner,

Was taken up as a special order.

The question being, Shall the bill pass?

Mr. Safford moved that the bill lie and be made a special order for to-morrow forenoon at ten and one half o'clock;

Which was disagreed to;

Mr. Fuller moved that the bill be committed to the Committee on the Judiciary;

Which was agreed to—yeas, 15; nays, 14.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Lane,
Bridgman,	Fuller,	Paul,
Brown,	Gleed,	Pember,
Cook,	Judevine,	Safford,
Dunton,	King,	Sykes—15.

Those Senators who voted in the negative are Messrs.

Dana,	Henry,	Thatcher,
Darling,	North,	Weed,
Dillingham,	Peck,	Woodhouse,
Gleason,	Robinson,	Woodworth—14.
Goodsell,	Start,	

So the bill was *ordered* committed to the Committee on the Judiciary.

A House bill entitled

H. 64. An act relating to highways and bridges, and liabilities of towns as to damages,

Was taken up as a special order.

The question being, Will the Senate agree to the amendment proposed by the committee?

Mr. Dillingham moved to amend the pending amendment by striking out of the last line of the proposed new section the words "of eight feet span or over," and inserting in lieu thereof the words, *or culverts;*

Which was disagreed to—yeas, 11; nays, 17.

Mr. Dwinell having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Fuller,	Pember,
Cook,	Gleason,	Robinson,
Dana,	North,	Thatcher—11.
Dillingham,	Paul,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Henry,	Start,
Brown,	Judevine,	Sykes,
Darling,	King,	Weed,
Dunton,	Lane,	Woodhouse,
Dwinell,	Peck,	Woodworth—17.
Gleed,	Safford,	

So the amendment to the amendment was disagreed to.

The question being, Will the Senate agree to the amendment offered by the committee?

It was decided in the affirmative—yeas 16; nays, 13.

Mr. Bridgman having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Peck,
Bridgman,	Gleason,	Pember.
Brown,	Gleed,	Robinson,
Cook,	Goodsell,	Safford,
Dana,	Henry,	Start,
Darling,	Judevine,	Sykes,
Dillingham,	King,	Thatcher,
Dunton,	Lane,	Weed,
Dwinell,	North,	Woodhouse,
Field,	Paul,	Woodworth—16.

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Peck,
Bridgman,	Gleason,	Pember,
Brown,	Gleed.	Robinson,
Cook,	Goodsell,	Safford,
Dana,	Henry,	Start,
Darling,	Judevine,	Sykes,
Dillingham,	King,	Thatcher,
Dunton,	Lane,	Weed,
Dwinell,	North,	Woodhouse,
Field,	Paul,	Woodworth—13.

So the amendment proposed by the committee was agreed to;

Thereupon the bill *ordered* to be read the third time to-morrow morning.

On motion of Mr. Bridgman the Senate adjourned at twelve o'clock and twenty-five minutes.

AFTERNOON.

Mr. Lane, from the Committee on Claims, to whom was referred a House bill entitled

H. 215. An act to pay the brother and sisters of Henry Wells, *alias* Walch, the amount of State pay now due the said Wells, *alias* Walch, from the treasury;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Darling, from the Committee on Elections, to which was referred a bill entitled

S. 161. An act to regulate elections;

Reported recommending that the bill be amended by striking out section one and inserting in lieu thereof the following section:

Section 1. *A first constable shall not preside nor take votes at freemen's meeting—if objection be made—knowing himself to be a candidate for town representative at such meeting. And if a person so presiding or taking votes, in violation of this act, is afterwards, at such meeting when having so taken votes, declared elected to such office, to which he knew himself to be a candidate, such declaration of election shall be of no effect and the office shall be deemed to be vacant and may be filled in the manner prescribed by the Constitution and laws;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Woodhouse presented the petition of O. G. Wheeler and a large number of other citizens of the State in relation to the fish laws;

Which was referred to the Joint Committee on Game and Fisheries.

Mr. Gleason, from the Committee on the Judiciary, to which was referred bills of the following titles:

S. 72. An act in relation to levy of executions on personal property;

S. 68. An act in relation to attachments on personal property;

Reported adversely to their passage;

Thereupon the bills were severally refused a third reading.

Mr. Gleed, from the Committee on the Judiciary, to which was referred House bills of the following titles:

H. 269. An act relating to sureties on writs;

H. 433. An act amending the second section of an act to incorporate the village of Montpelier, approved November 14, 1855;

Reported adversely to their passage in concurrence;

Thereupon the bills were severally refused a third reading.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 122. An act to amend number one of the acts of 1876, entitled, An act to establish courts of insolvency and to provide for the equal distribution of the effects of insolvent debtors;

H. 253. An act laying a tax on the county of Franklin;

H. 362. An act requiring town officers to make annual settlements of their accounts;

H. 396. An act to amend section one of number one hundred and eight of the acts of 1878, entitled, An act concerning dogs and for the protection of sheep and other domestic animals, approved Nov. 22, 1876, and in addition thereto;

H. 422. An act in relation to toll bridges;

H. 447. An act to amend section two of chapter ninety of the General Statutes;

H. 450. An act relating to manufacturing companies formed under chapter one hundred and seven of the General Statutes;

H. 451. An act to prohibit the service of process by a justice of the peace;

H. 453. An act in amendment of an act entitled, An act to empower fire district number one in Brandon to bring water into said district, and to issue bonds for that purpose;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 146. An act in amendment of act number sixty of the laws of 1878, entitled, An act in relation to the supervisors of the insane and the discharge of patients from insane asylums;

S. 126. An act in relation to the State Printing;

And have refused the passage of the same in concurrence.

The House have considered Senate bills of the following titles:

S. 174. An act in relation to winter roads;

S. 159. An act relating to intoxication;

And have passed the same in concurrence with proposals of amendment,

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 59. An act relating to freemen's meetings, and fixing a time after which no alteration can be made in a check-list;

S. 61. An act to compel school districts to provide instruction for their legal scholars;

S. 91. An act regulating the movement of trains at the crossing of one railroad by another railroad;

S. 160. An act in relation to the filling of vacancies in office;

S. 167. An act in relation to injunctions restraining the collection of taxes;

S. 175. An act providing for the safe keeping of prisoners charged with crime;

S. 191. An act relating to the printing of the Journals of the General Assembly;

S. 192. An act in relation to unexpended balances of appropriations;

And have passed the same in concurrence.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 128. An act relating to adoptions and changes of names;

H. 211. An act relating to highway surveyors;

H. 232. An act in addition to an act to incorporate the Woodstock Railroad;

H. 136. An act relating to taxable fees of authorized persons;

H. 197. An act relating to the compensation of superintendents of schools;

H. 282. An act to incorporate the Laurel Glen Cemetery Association;

H. 443. An act ceding to the United States jurisdiction over sites for light houses on Lake Memphremagog;

H. 304. An act to pay Solon Burroughs the sum therein mentioned.

Mr. Henry, from the Committee on Constitutional Amendments, to whom was referred proposal of amendment to the Constitution of the State in relation to enabling towns to aid railroads,

Reported recommending that the Senate make said proposal of amendment to the Constitution and ask the House to concur therein;

Thereupon the Senate by a two-thirds vote of the members thereof in the affirmative made said proposal of amendment to the Constitution—yeas, 26; nays, 0.

Mr. Gleed having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Peck,
Bridgman,	Gleed,	Pember,
Brown,	Goodsell,	Robinson,
Cook,	Henry,	Start,
Dana,	Judevine,	Thatcher,
Darling,	King,	Weed,
Dillingham,	Lane,	Woodhouse,
Dunton,	North,	Woodworth—26.
Dwinell,	Paul,	

Those Senators who voted in the negative—none.

Mr. Dunton moved to take up a bill entitled

S. 124. An act relating to attachment and sale of mortgaged personal property,

Which was agreed to;

Thereupon Mr. Dunton moved that the Senate reconsider its vote refusing to concur in House proposals of amendment,

And that the motion to reconsider be *ordered* to lie;

Which was agreed to.

On motion of Mr. Dunton a bill entitled

S. 93. An act to abate and suppress nuisances,

Was taken up;

Thereupon Mr. Dunton moved that the Senate reconsider its vote concurring in House proposals of amendment to said bill,

And that the vote to reconsider be *ordered* to lie;

Which was agreed to.

The hour having arrived for the meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House.

Having returned therefrom,

Mr. King, from the Joint Committee on the Library, submitted a report as follows:

(For Report see Appendix.)

Which was read, together with an accompanying bill entitled

S. 201. An act providing for building additions to the State House;

Which was read the first and second times,

And, under the rule, *ordered* to lie over twenty-four hours, and be printed.

Mr. Dillingham presented the remonstrance of Eddison Pinney and forty others;

Also, remonstrance of George Gray and thirty others, against the passage of a bill entitled

S. 104. An act for the removal of obstructions in certain portions of Lamoille River;

Which were referred to the General Committee.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred a proposal of amendment to the Constitution of the State requiring the judges of the supreme court to give opinions in certain cases,

Reported recommending that the Senate make said proposal of amendment to the Constitution, and ask the House to concur therein;

Thereupon the Senate by a two thirds vote of the members thereof in the affirmative made said proposal of amendment—yeas, 25; nays, 0.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleed,	Peck,
Bridgman,	Goodsell,	Pember,
Brown,	Henry,	Safford,
Dana,	Judevine,	Start,
Darling,	King,	Sykes.
Dillingham,	Lane,	Thatcher,
Dunton,	North,	Weed,
Fuller,	Paul,	Woodworth—25.
Gleason,		

Those Senators who voted in the negative—none.

Mr. Peck, from the Joint Committee on the House of Correction, to which was referred a bill entitled

S. 139. An act to provide for the appointment of a chaplain for the House of Correction and the payment for transportation of discharged convicts to their homes,

Reported in favor of its passage;

Thereupon, on motion of Mr. Bridgman, the bill was *ordered* to be re-committed to the Joint Committee on the House of Correction.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 173. An act to reduce State expenses,

Reported recommending that the bill be amended as follows:

By striking out in lines six, seven, eight and nine of section two, the words,

"But the services of said reporter shall only be employed in cases tried by jury, and shall not be employed in hearings before referees," and by substituting in lieu thereof the words,

Such reporter may be employed in cases tried by referees, if the presiding judge so direct, but shall not be employed in hearings before;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

On motion of Mr. Start a bill entitled

S. 124. An act relating to the attachment and sale of mortgaged personal property,

Was taken up.

The question being, Will the Senate reconsider its vote refusing to concur in House proposal of amendments to said bill?

The same was agreed to;

Thereupon the pending amendments from the House were concurred in.

Mr. Start, from the Committee on the Judiciary, to which was referred a bill entitled

S. 181. An act in relation to persons in confinement in prison and under sentence of death,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Start, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 339. An act in amendment of and in addition to section seven of chapter one hundred and twenty-one of the General Statutes of Vermont,

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Start, from the Committee on the Judiciary, to which was referred a bill entitled

S. 200. An act providing for the attachment of mortgaged personal property,

Reported recommending that the bill be amended as follows:

First, By striking out the word "may," in line six, section four;

Second, By striking out in line seven of said section four the words, "pay or tender such debt;"

Third, By striking out in line nine of section four the word "same," and inserting in lieu thereof the word *debt;*

Fourth, By inserting after the word "sale," in line nine, section four, the words, *may pay or tender the amount thereof;*

Fifth, By striking out after the words "regard to," in line twenty-one of section six, the words, "taking care of and conducting with;"

Sixth, By striking out, in line twenty-two of section six, the word "that," and inserting in lieu thereof the word *as;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Bridgman, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 335. An act giving an appeal to tax collectors in certain cases;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 356. An act to amend section twenty-four of chapter forty-eight of the General Statutes;

Reported in favor of its passage in concurrence.

Mr. Dana moved that the Senate propose to the House to amend the bill by striking out after the word "discretion," in the thirteenth line of section one the words, "without account to the probate court;"

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Start, from the Committee on the Judiciary, to which was referred a bill entitled

S. 199. An act in relation to fines and costs in certain cases;

Reported recommending that the bill be amended as follows:

First, By striking out in line two of section one the words "the towns," and inserting in lieu thereof the words, *a town having more than three thousand inhabitants;*

Second, By adding to the bill a new section:

Section 3. *When two or more persons are supposed to be jointly guilty of a crime within the jurisdiction of a justice of the peace to try and determine, they may be charged with such crime in the same complaint and tried together; and if such person shall be otherwise charged or tried, only one bill of cost shall be allowed against or paid by the town where such trials are had;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A House bill entitled

H. 371. An act to appropriate money for repairs and additions to the State Prison,

Was taken up as a special order.

Mr. Fuller asked and was granted leave to withdraw his pending proposal of amendment to said bill;

Thereupon Mr. Fuller moved that the Senate propose to the House to amend the bill by adding to section two the words, *upon the approval of the Governor;*

Which was disagreed to;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

Mr. Safford, from the special committee, to which was referred a bill entitled

S. 108. An act to commute the sentence of Edwin C. Hayden;

Reported adversely to its passage;

And recommended the adoption of an accompanying resolution;

Thereupon the bill was *ordered* to lie and the Secretary directed to procure the printing of the usual number of copies of the report and resolution for the use of the General Assembly.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 122. An act to amend number one of the acts of 1876, entitled, An act to establish courts of insolvency and to provide for the equal distribution of the effects of insolvent debtors;

H. 362. An act requiring town officers to make annual settlements of their accounts;

H. 447. An act to amend section two of chapter ninety of the General Statutes;

H. 451. An act to prohibit the service of process by a justice of the peace;

H. 453. An act in amendment of an act entitled, An act to empower fire district number one in Brandon to bring water into said district and to issue bonds for that purpose;

To the Committee on the Judiciary.

H. 450. An act relating to manufacturing companies formed under chapter one hundred and seven of the General Statutes;

To the Committee on Manufactures.

H. 396. An act to amend section one of number one hundred and eight of the acts of 1878, entitled, An act concerning dogs and for the protection of sheep and other domestic animals, approved November 22, 1876, and in addition thereto;

To the General Committee.

H. 253. An act laying a tax on the county of Franklin;

To a select committee consisting of the Senators from Franklin county.

H. 422. An act in relation to toll bridges;

To the Committee on Highways and Bridges.

Mr. Brown, from the Committee on Land Taxes, to which was referred a House bill entitled

H. 208. An act laying a tax on the grand list of the real estate of the town of Averill in the county of Essex;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Dana moved that a House bill entitled

H. 371. An act to appropriate money for repairs and additions to the State Prison,

Be taken up and re-committed to the Committee on State Prison;

Which was agreed to;

A bill entitled

S. 159. An act relating to intoxication,

Was taken up,

Having been returned from the House with the following proposals of amendment:

By adding to section one the following:

Provided that such mittimus shall not issue unless issued within two years from such conviction;

Which was concurred in.

A bill entitled

S. 174. An act in relation to winter roads,

Was taken up,

Having been returned from the House with the following proposals of amendment:

By inserting after section three a new section as follows:

Section 4. No person shall bring any action or receive any damages for injuries to himself or property received while traveling or being upon a winter road laid out under the provisions of this act;

And re-numbering section "four" section *five;*

Which were concurred in.

Mr. Safford, from the Committee on Education, reported a bill entitled

S. 202. An act relating to scholarships;

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

On motion of Mr. Dana the Senate adjourned at five o'clock and forty-five minutes.

WEDNESDAY, DECEMBER 15TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Reading of Tuesday's Journal dispensed with on motion of Mr. Fuller.

Mr. Dillingham, from the Committee on the Revision of the Laws, to which was referred a House bill entitled

H. 448. An act entitled the Revised Laws of Vermont, 1880,

Reported recommending that the Senate propose to the House to amend the bill by inserting after the word "lot," in the second line of section 3032, the words *in a cemetery;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to morrow morning.

Mr. Sykes, from the General Committee, to which was referred a House bill entitled

H. 324. An act to enable the First Universalist Society of Halifax to dispose of its chapel,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Bills of the following titles were severally read the third time and passed:

S. 181. An act in relation to persons in confinement in prison and under sentence of death;

S. 161. An act to regulate elections;

S. 173. An act to reduce State expenses;

S. 199. An act in relation to fines and costs in certain cases;

S. 200. An act providing for the attachment of mortgaged personal property.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 208. An act laying a tax on the grand list of the real estate of the town of Averill in the county of Essex;

H. 335. An act giving an appeal to tax collectors in certain cases;

H. 339. An act in amendment of and in addition to section seven of chapter one hundred and twenty-one of the General Statutes of the State of Vermont.

A House bill entitled

H. 64. And act relating to highways and bridges, and liabilities of towns as to damages,

Was read the third time and passed in concurrence with proposals of amendment.

Mr. Brown moved that the Senate reconsider its vote ordering a bill entitled

S. 22. An act to abolish the office of railroad commissioner,

Committed to the Committee on the Judiciary,

And that the motion to reconsider be *ordered* to lie;

Which was agreed to.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 64. An act vesting police powers, and punishing depredations upon fair grounds;

S. 124. An act relating to the attachment and sale of mortgaged personal property;

S. 159. An act relating to intoxication;

S. 174. An act in relation to winter roads;

S. 191. An act in relation to the printing of the Journals of the General Assembly;

S. 192. An act in relation to unexpended balances of appropriations;

S. 98. An act in amendment of and in addition to chapter ninety-nine of the General Statutes, relating to nuisances.

WALTER A. WEED,
For Committee.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 375. An act relating to the election of trustees in the Winooski Graded School District in Colchester;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 98. An act in amendment of and in addition to chapter ninety-nine of the General Statutes, relating to nuisances;

And have passed the same in concurrence.

A bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Was taken up as a special order;

And pending the question,

Will the Senate agree to the proposal of amendment offered by the Senator from Windsor?

On motion of Mr. Gleed the Senate adjourned.

AFTERNOON.

Mr. Start, from the Committee on the Judiciary, submitted a bill entitled

S. 203. An act in amendment to section one, chapter forty-eight of the General Statutes;

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

A House bill entitled

H. 57. An act to amend an act entitled, An act relating to the compensation of town superintendents, approved November 21, 1878,

Was taken up and passed in concurrence.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Dwinell, from the Committee on the Grand List,

H. 276. An act to legalize the grand lists of the town of Castleton for the years 1870, 1871, 1872, 1873, 1874 and 1880.

By Mr. Start, from the select committee consisting of Senators from Franklin county,

H. 253. An act laying a tax on the county of Franklin.

Mr. North, from the Committee on Highways and Bridges, to which was referred a House bill entitled

H. 422. An act in relation toll-bridges,

Reported in favor of its passage in concurrence;

Thereupon the bill was read the third time,

And, on motion of Mr. Dillingham,

Pending the question, Shall the bill pass?

Ordered re-committed to the Committee on Highways and Bridges.

Mr. Dunton presented the petition of W. R. Page, S. M. Dorr, C. C. Dunn and one hundred and forty-eight others, citizens of Rutland, asking for flagmen and gates at certain railroad crossings in the village of Rutland;

Which was referred to the Committee on Railroads.

Mr. Dillingham, from the Committee on Railroads, to which was referred a bill entitled

S. 125. An act to amend section sixty-nine of chapter twenty-eight of the General Statutes,

Reported adversely to its passage;

Thereupon, on motion of Mr. Cook, the bill was indefinitely postponed.

Mr. Woodhouse, from the Committee on Banks, to which was referred a House bill entitled

H. 258. An act providing for commissioners of trusts, and defining their duties,

Reported adversely to its passage;

Thereupon the bill was refused a third reading.

A House bill entitled

H. 356. An act to amend section twenty-four of chapter forty-eight of the General Statutes,

Was read the third time and passed in concurrence.

A House bill entitled

H. 375. An act relating to the election of trustees in the Winooski Graded School District in Colchester,

Was read the first and second times and referred to the Committee on Elections.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

Thereupon the bills were *ordered* to be read the third time to-morrow morning:

By Mr. Fuller, from the Committee on Finance,

H. 330. An act to stop interest on overdue town orders.

By Mr. Paul, from the Committee on Agriculture,

H. 228. An act to amend section thirty of chapter one hundred and thirteen of the General Statutes, approved November 19, 1866.

By Mr. Gleed, from the Committee on the Judiciary,

H. 325. An act to incorporate the Canaan Aqueduct Company.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 263. An act to legalize and incorporate the Congregational Society of New Haven;

H. 312. An act to amend an act entitled, An act to incorporate the village of Barton, approved November 21, 1874;

H. 337. An act laying a tax on the county of Bennington;

H. 400. An act to amend number two hundred and thirty three of the acts of 1878,

H. 290. An act in addition to and in amendment of number nine of the acts of 1869 and number forty-two of the acts of 1876, relating to school districts sending scholars to academies in certain cases;

H. 193. An act amending section forty-four of chapter twenty-two of the General Statutes;

H. 289. An act requiring certain railroad trains to have brakes operated from the engine;

H. 265. An act appropriating money for the purposes of the House of Correction;

H. 385. An act relating to fire district number two in the town of Manchester;

H. 322. An act to incorporate the First Baptist Society of the town of Bristol;

H. 182. An act to incorporate the Woodstock Aqueduct Company;

H. 397. An act establishing the line between the towns of Woodstock and Pomfret;

H. 318. An act to pay Clarence A. Gibbs the sum therein named;

H. 238. An act laying a tax on the county of Chittenden.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate of the following titles, viz.:

S. 90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting;

S. 158. An act in relation to executions in cases of injunctions or of subsequent attaching creditors;

S. 172. An act to repeal certain portions of chapter seventy-five of the General Statutes;

Also,

A joint resolution providing for the printing of the address of Gen. Martin T. McMahon before the Vermont Officers' Re union Society, Nov. 11, 1880.

Mr. Start, from the Committee on the Judiciary, to which was referred a bill entitled

S. 140. An act in amendment of section one of chapter twenty-four of the General Statutes,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 59. An act relating to freemen's meetings, and fixing a time after which no alteration can be made in a check-list;

S. 61. An act to compel school districts to provide instruction for their legal scholars;

S. 91. An act regulating the movement of trains at the crossing of one railroad by another railroad;

S. 160. An act in relation to the filling of vacancies in office;

S. 167. An act in relation to injunctions restraining the collection of taxes;

S. 175. An act providing for the safe keeping of prisoners charged with crime.

L. K. FULLER,

For Committee on Bills.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a bill entitled

S. 168. An act to amend section twenty-nine of chapter eighty-three of the General Statutes,

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Was taken up as unfinished business.

Mr. Start moved to substitute for the amendment offered by the Senator from Windsor the following:

Sec. 16. *The trustees of the Reform School are hereby authorized, in their discretion, out of the money appropriated by an act*

of the Legislature, approved November 26, 1878, *for the purpose of enlarging and improving the Reform School buildings, to provide a suitable play-ground, gymnasium, sleeping-room, wash-room and reading-room with suitable books and papers therein, and such other accommodations as in their judgment may meet the wants of the school. Every boy confined in the school who conforms to the regulations of the school, shall be permitted to spend not less than two hours out of every twenty-four in said reading-room.*

When the repairs and enlargement of the buildings are completed the trustees are authorized to employ the larger boys in the school a portion of the time each day at cabinet-making, or some similar remunerative employment ;

Which was agreed to—yeas, 21 ; nays, 5.

Mr. Paul having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleason,	Peck,
Brown,	Gleed,	Safford,
Dana,	Henry,	Start,
Darling,	Judevine,	Thatcher,
Dillingham,	King,	Weed,
Dunton,	Lane,	Woodhouse,
Fuller,	North,	Woodworth—21.

Those Senators who voted in the negative are Messrs.

Bridgman,	Paul,	Robinson—5.
Dwinell,	Pember,	

So the amendment to the amendment was agreed to.

Thereupon the amendment of the Senator from Windsor, as amended on motion of the Senator from Franklin, was agreed to.

Mr. Gleed moved that the bill be further amended by adding thereto two sections as follows:

Sec. 19. *The trustees of the State Reform School now provided by law shall hereafter be elected by the General Assembly.*

Sec. 20. *This act shall take effect from its passage ;*

Which was agreed to.

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 194. An act to equalize taxation,

Was taken up as a special order.

Mr. Henry moved that the bill be *ordered* to lie and be made the special order to morrow at ten o'clock in the forenoon ;

Which was agreed to.

Mr. Brown moved that the Senate take up the motion to reconsider the vote by which a bill entitled

S. 22. An act to abolish the office of railroad commissioner,

Was referred to the Committee on the Judiciary,

Which was agreed to ;

Thereupon the vote was reconsidered,

And, on motion of Mr. Woodhouse, the bill was indefinitely postponed—yeas, 20; nays, 7.

Mr. Cook having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Robinson,
Bridgman,	Gleason,	Start,
Brown,	Goodsell,	Thatcher,
Dana,	Henry,	Weed,
Darling,	North,	Woodhouse.
Dillingham,	Paul,	Woodworth—20.
Dwinell,	Peck,	

Those Senators who voted in the negative are Messrs.

Cook.	King,	Pember,
Dunton,	Lane,	Safford—7.
Gleed.		

So the bill was indefinitely postponed.

A House bill entitled

H. 307. An act to restrain fowls,

Was taken up as a special order;

Thereupon the bill was read the third time, and passed in concurrence with proposals of amendment.

Mr. Goodsell, from the Committee on Education, to which was referred a Houre bill entitled

H. 311. An act in amendment of an act entitled, An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents, approved November 18, 1878,

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, By striking out the first seven lines of section one.

Second, By striking out the words "section four of this act," in lines eighteen and nineteen of section one, and inserting in lieu thereof the word *law;*

Which was agreed to.

Mr. Safford moved that the Senate propose to the House to further amend the bill by striking out the words "is not licensed," in line eleven of section one, and inserting in lieu thereof the words, *has not the certificate required by law;*

Which was agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

On motion of Mr. Dana the Senate adjourned.

THURSDAY, DECEMBER 16TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Reading of Wednesday's Journal dispensed with on motion of Mr. Lane.

A House bill entitled

H. 448. An act entitled, The Revised Laws of Vermont, 1880,

Was read the third time,

And on motion of Mr. Pember the bill was *ordered* to lie, and be made the special order for Saturday morning at ten and one-half o'clock.

A House bill entitled

H. 325. An act to incorporate the Canaan Aqueduct Company,

Was read the third time and passed in concurrence.

A bill entitled

S. 194. An act to equalize taxation,

Was taken up as a special order.

The question being, Will the Senate agree to the proposal of amendment offered by the Senator from Windsor?

Mr. Blodgett moved to modify the amendment pending by substituting therefor the following:

By striking out the word "full," in line two of section three, and inserting after the word "April," in line four of section three, the words, *for which a deduction is claimed.*

Pending the adoption of the amendment to the amendment,

Mr. Fuller moved that the Senate do now resolve itself into a Committee of the Whole Senate for the further consideration of said bill and pending amendments;

Which was agreed to,

And the President named the Senator from Addison as Chairman.

After sometime spent in considering the matter, the committee rose,

And the President *pro tempore* assumed the chair;

Whereupon Mr. Dana, from said committee, reported progress and asked leave to sit again at two o'clock this afternoon;

Which leave was granted.

On motion of Mr. Safford the Senate adjourned at twelve o'clock and forty-five minutes.

AFTERNOON.

Mr. Gleason offered the following resolution:

Resolved, That the reading of the Senate Journal be dispensed with for the remainder of the session unless specially called for;

Which was read and adopted.

The hour having arrived for the Senate to go into Committee of the Whole Senate, as agreed to, on a bill entitled

S. 194. An act to equalize taxation.

The President named the Senator from Addison as Chairman.

After a full consideration of the matter the committee rose,

And the President *pro tempore* assumed the chair.

Whereupon Mr. Dana, from said committee,

Reported recommending that said bill be amended as follows:

Amend section three so it will read

Sec. 3. *Said blank inventories shall also contain when filled a statement of all debts actually due from said tax-payer on the first day of April for which a deduction is claimed, and no deduction shall be made in the list of any person by reason of such debts owing by him, unless such statement includes the name and place of residence of each person or firm to whom he is so indebted, and the amount so owing by him to each person or firm.*

And no deductions shall be made in the list of any person on account of any liability of such person as surety, guarantor or indorser, and where two or more persons are jointly holden as principals for the payment of any debt there shall be deducted from their respective lists only such portion of such debt as the whole debt bears to the whole number of persons that are holden for such debt.

Amend section eight so it will read

Sec. 8. *Every person, and the president or principal officer of every corporation except as is otherwise provided in section six, shall on the first day of April in each year, fill up said blank and make complete and full answers to all the interrogatories contained therein, and take and subscribe the oath contained in the inventory, and deliver said inventory to the lister on demand. The listers are hereby qualified to administer said oath.*

Amend section sixteen so it will read

Sec. 16. *All real estate shall be appraised and set in the lists in* 1881 *by the listers at its true value in money on the first day of April in that year, and such appraisal shall be made in connection with the annual list and completed and filed at the same time as required by law for annual lists. No equalization of such appraisal*

by any equalizing board shall be required, and it shall be substituted for the last quadrennial appraisal and continue in force in lieu thereof until the next quadrennial appraisal is made.

Amend section eighteen by adding thereto the following:

The provisions of this act shall in no way be construed to apply to the deposits of savings banks, savings institutions and trust companies otherwise taxed;

Which were agreed to.

The question being, Shall the bill be read the third time?

It was determined in the affirmative—yeas, 22; nays, 7.

Mr. Bridgman having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Paul,
Bridgman,	Gleed,	Pember,
Brown,	Goodsell,	Robinson,
Cook,	Henry,	Safford,
Darling,	Judevine,	Start,
Dillingham,	King,	Weed,
Dunton,	North,	Woodworth—22.
Dwinell,		

Those Senators who voted in the negative are Messrs.

Dana,	Peck,	Thatcher,
Gleason,	Sykes,	Woodhouse—7.
Lane,		

So the bill was *ordered* to be read the third time to-morrow morning.

A proposal of amendment to the Constitution, relating to the returning and canvassing of votes for State officers, was taken up on motion of Mr. Henry;

Thereupon Mr. Henry moved that the same be amended by striking out all after the word "office," in the eighteenth line, to the word "and" in the twenty-fourth line of said article of amendment, and inserting in lieu thereof the following:

The votes themselves shall be preserved in said offices until the several persons receiving a majority of votes shall have been duly declared elected and shall have entered upon the performance of the duties of the offices to which they have been respectively chosen;

Which was agreed to;

Whereupon the Senate, by a two-thirds vote of the members thereof in the affirmative, made said proposal of amendment—yeas, 25; nays, 0.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Pember.
Bridgman,	Gleason,	Robinson,
Brown,	Henry,	Safford,

Cook,	King,	Start,
Dana,	Lane,	Sykes,
Darling,	North,	Thatcher,
Dillingham,	Paul,	Weed,
Dunton,	Peck,	Woodworth—25.
Dwinell,		

Those Senators who voted in the negative—none.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills, originating in the Senate, of the following titles, viz.:

S. 160. An act in relation to the filling of vacancies in office;
S. 59. An act relating to freemen's meeting, and fixing a time after which no alteration can be made in a check-list;
S. 167. An act in relation to injunctions restraining the collection of taxes;
S. 175. An act providing for the safe keeping of prisoners charged with crime;
S. 61. An act to compel school districts to provide instruction for their legal scholars;
S. 91. An act regulating the movement of trains at the crossing of one railroad by another railroad.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 228. An act to amend section thirty of chapter one hundred and thirteen of the General Statutes, approved November 19, 1866;
H. 230. An act to allow persons charged with crime the right to procure means to employ counsel.

A bill entitled
S. 168. An act to amend section twenty-nine of chapter eighty-three of the General Statutes,
Was read the third time;
Thereupon Mr. Bridgman moved that the bill be committed to the Committee on the Grand List;
And the same was agreed to.

A bill entitled
S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,
Was read the third time;
Thereupon Mr. Paul moved that the bill be re-committed to the Joint Committee on the Reform School;
Which was disagreed to—yeas, 10; nays, 13.

Mr. Paul having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dunton,	King,	Pember,
Dwinell,	Paul,	Safford,
Fuller,	Peck,	Sykes—10.
Judevine,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Gleed,	Robinson,
Brown,	Henry,	Thatcher,
Dana,	Lane,	Weed,
Darling,	North,	Woodworth—13.
Dillingham,		

So the motion to re-commit was disagreed to.

Mr. Gleason moved that the bill be committed to a Senator to amend by striking out, in the second line of the nineteenth section of the bill as amended, the word "hereafter," and inserting in lieu thereof the words, *after the present session of the General Assembly;*

Which was agreed to;

Thereupon the bill was committed to the Senator from Orange to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. Start, from the Committee on the Judiciary, submitted a bil entitled

S. 204. An act providing for the attachment and levy of executions on mortgaged real estate in certain cases;

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred a proposal of amendment of Article XXIV of the Constitution, changing the time of elections from biennially to annually,

Reported recommending that the Senate make said proposal of amendment to the Constitution and ask the House to concur therein.

Pending the question, Will the Senate agree thereto?

On motion of Mr. Dunton, said amendment was *ordered* to lie.

Mr. Pember, from the Committee on Highways and Bridges, to which was referred a bill entitled

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte;

Reported the same back to the Senate without an expression of opinion;

Thereupon, on motion of Mr. Peck, the bill was *ordered* to lie.

Mr. Woodworth, from the Committee on the Grand List, to which was referred a House bill entitled

H. 91. An act to legalize the grand lists of the town of Sheldon for the years 1879 and 1880;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

Mr. Dillingham offered the following proposal of amendment to the Constitution, requiring an additional oath of members of the General Assembly:

Resolved, (two-thirds of the Senate concurring therein,) That the Senate propose to the House of Representatives the following, to become, when ratified, a part of the Constitution of the State:

ARTICLE ——.

SECTION 1. The Representatives having met on the day appointed by law for the commencement of a biennial session of the General Assembly, and chosen their Speaker, and the Senators having met, shall, before they proceed to business, take and subscribe the following oath:

"You, , do solemnly swear (or affirm) that you did not at the time of your election to this body and that you do not now, hold any office of profit or trust under the authority of Congress. So help you God, (or, in case of an affirmation,) under the pains and penalties of perjury."

SEC. 2. The words "office of profit or trust under the authority of Congress," shall be construed to mean any office created directly or indirectly by Congress, or for which emolument is provided from the Treasury of the United States;

Which was read, and referred to the Committee on Constitutional Amendments.

On motion of Mr. Dana the Senate adjourned.

FRIDAY, DECEMBER 17TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Mr. Dana offered the following proposal of amendment to the Constution in relation to the election of certain State officers:

Resolved by the Senate, (two-thirds of the members thereof concurring,) that the following be proposed to the House of Representatives as an amendment to the Constitution of the State:

ARTICLE ——.

SECTION 1. The Secretary of State and Auditor of Accounts shall be elected by the freemen of the State upon the same ticket with the Governor, Lieut. Governor and Treasurer.

SEC. 2. The Legislature shall carry this article into effect by appropriate legislation.

Which was read and referred to the Committee on Constitutional Amendments.

A bill entitled

S. 202. An act relating to scholarships,

Was taken up,

And pending the question, Shall the bill be read the third time?

Mr. Start moved that the bill be *ordered* to lie;

Pending which,

Mr. Bridgman moved that the bill be indefinitely postponed,

And the same was disagreed to—yeas, 5; nays, 18.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Dwinell,	Paul—5.
Brown,	King,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Goodsell,	Robinson,
Dana,	Henry,	Safford,
Darling,	Judevine,	Start,
Dillingham,	Lane,	Sykes,
Field,	North,	Thatcher,
Gleed,	Peck,	Weed—18.

So the motion to indefinitely postpone was disagreed to;

Thereupon the bill was *ordered* to lie.

Mr. Safford, from the Special Committee on Court Expenses, reported a bill entitled

S. 205. An act relating to the canvassing of votes for electors of President and Vice President;

Which was read the first and second times and, under the rule, *ordered* to lie for twenty-four hours and be printed.

Mr. Gleed, from the Committee on the Judiciary, reported a bill entitled

S. 206. An act to amend section thirty-four of chapter thirty-six of the General Statutes;

Which was read the first and second times,

And, under the rule, *ordered* to lie for twenty-four hours, and be printed.

A bill entitled

S. 194. An act to equalize taxation,

Was read the third time.

Mr. Safford moved that the bill be committed to a Senator to amend by inserting after the word "unless," in line seven, section three, the words *the same be owing to a resident of this State and unless;*

Pending the adoption of which,

Mr. Gleason moved that the bill and pending amendment be *ordered* to lie,

Which was disagreed to—yeas, 8; nays, 17.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Lane,	Sykes,
Gleason,	Paul,	Thatcher—8.
Goodsell,	Peck,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Pember,
Brown,	Gleed,	Robinson,
Darling,	Henry,	Safford,
Dunton,	Judevine,	Start,
Dwinell,	King,	Weed—17.
Field,	North,	

So the motion to lie was disagreed to.

The question being, Will the Senate agree to the amendment proposed by the Senator from Franklin?

The same was disagreed to—yeas, 6; nays, 18.

Mr. Thatcher having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Gleed,	Judevine,	Safford,
Henry,	Robinson,	Start—6.

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Paul,
Brown,	Gleason,	Peck,
Dana,	Goodsell,	Pember,
Darling,	King,	Sykes,
Dwinell,	Lane,	Thatcher,
Field,	North,	Weed—18.

So the amendment was disagreed to.

Mr. Blodgett moved that the bill be committed to a Senator to amend by inserting after the word "estate," in the eleventh line of section four, the words *to the best of my knowledge and belief;*

Which was disagreed to—yeas, 11; nays, 14.

Mr. Thatcher having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Field,	Peck,
Brown,	Gleason,	Thatcher,
Dana,	Lane,	Weed—11.
Darling,	Paul,	

Those Senators who voted in the negative are Messrs.

Dunton,	Henry,	Robinson,
Dwinell,	Judevine,	Safford,
Fuller,	King,	Start,
Gleed,	North,	Sykes—14.
Goodsell,	Pember,	

So the amendment was disagreed to.

Mr. Paul moved that the bill be committed to a Senator to amend by striking out the word "taxable," in the fourth line of section four, and inserting after the word "personal," in the fifth line of said section four, the words *liable to taxation under the laws of this State;*

Which was agreed to.

Mr. Start moved that the Senate do now adjourn;

Which was disagreed to;

Thereupon the bill was passed—yeas 18; nays, 8.

Mr. Thatcher having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Paul,
Brown,	Gleed,	Pember,
Darling,	Henry,	Robinson,
Dillingham,	Judevine,	Safford,
Dunton	King,	Start,
Dwinell,	North,	Weed—18.

Those Senators who voted in the negative are Messrs.

Dana,	Goodsell,	Sykes,
Field,	Lane,	Thatcher—8.
Gleason,	Peck,	

So the bill passed.

On motion of Mr. Henry the Senate adjourned at twelve o'clock and forty five minutes.

AFTERNOON.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

By Mr. Lane, from the General Committee,

H. 241. An act to change the name of Robert S. Royce to Robert S. Brewer;

H. 240. An act to change the name of Maud R. Lamphier, and constitute her heir-at-law of Julius D. Brigham and Mary J. Brigham.

By Mr. Dwinell, from the Committee on the Grand List,

H. 255. An act to legalize the grand lists of the town of Sandgate for the years 1878, 1879 and 1880;

Thereupon said bills were severally read the third time and passed in concurrence.

By Mr. Start, from the select committee to which was referred a bill entitled

S. 18. An act levying a tax on the county of Franklin;

Reported recommending that the further consideration of said bill be indefinitely postponed;

Which was agreed to.

Mr. Henry, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 446. An act to amend section nine of chapter forty-eight of the General Statutes;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bill entitled

S. 196. An act extending the time for the completion of the Montpelier and White River Railroad, and for other purposes;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 296. An act to pay George H. Sowles the sum therein named;

H. 350. An act to pay Thomas A. Richardson the sum therein named;

H. 351. An act to incorporate the Rochester Mountain Sanitarium and Health Resort Association;

H. 360. An act to pay Alvaro Adset the sum therein named;

In the passage of which the concurrence of the Senate is requested.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 176. An act to change the name of Katie A. Barnard and William W. Barnard;

Reported adversely to its passage in concurrence;

Thereupon, on motion of Mr. Peck, the bill was *ordered* to lie.

Mr. Lane, from the General Committee, to whom was referred a bill entitled

S. 85. An act to change the name of Nathan Philo Carson to Nathan Philo Ladd;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 332. An act providing for the safe keeping of public records;

Reported in favor of its passage in concurrence;

Thereupon the third reading of the bill was refused.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 412. An act to amend section five of the act of incorporation of the village of St. Johnsbury;

Reported recommending that the Senate propose to the House to amend the bill by inserting after the word "St. Johnsbury," in line three of section two, the words, *present and voting;*

And when so amended the bill ought to pass in concurrence;

Which was agreed to;

Thereupon the bill was read the third time and passed in concurrence with a proposal of amendment.

A bill entitled

S. 195. An act to improve the breeding of horses,

Was taken up on motion of Mr. North;

Thereupon the vote indefinitely postponing the same was re-considered.

The question being, Shall the bill pass?

Mr. North moved that the bill be amended by striking out the words "twenty-five," in lines four and five in section one, and inserting in lieu thereof the word *ten;*

Which was agreed to;

Thereupon the bill was read the third time and passed.

EXECUTIVE SESSION.

At two and one-half o'clock, on motion of Mr. Gleed, the Senate went into Executive Session to consider a communication from His Excellency the Governor.

The President laid before the Senate the following communication from His Excellency the Governor:

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, December 17, 1880.

To the President of the Senate:

SIR:—I have the honor to nominate for the consideration and action of the Senate, as trustees of the Vermont Reform School:

Ebenezer J. Ormsbee of Brandon,
Henry R. Start of Bakersfield,
Julius J. Estey of Brattleboro.

ROSWELL FARNHAM,
Governor.

Which was read and on motion of Mr. Dana referred to the Committee on Reform School.

On motion of Mr. Gleed the Executive Session was dissolved and the doors of the Senate were opened.

On motion of Mr. King a House bill entitled

H. 313. An act to preserve the collections of the Vermont Historical Society,

Was taken up, read the third time and passed in concurrence.

Mr. Woodworth, from the General Committee, to which was referred a bill entitled

S. 96. An act changing the name of Catherine MacDonald and making her heir-at-law of Josiah Bohannon and Anna Bohannon;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Woodworth, from the General Committee, to which was referred a House bill entitled

H. 396. An act to amend section one of number one hundred and eight of the acts of 1878, entitled, An act concerning dogs and for the protection of sheep and other domestic animals, approved Nov. 22, 1876, and in addition thereto;

Reported in favor of its passage in concurrence.

Thereupon the third reading of the bill was refused.

Mr. Woodworth, from the General Committee, to which was referred a House bill entitled

H. 399. An act to incorporate the Dover Center Store Company;

Reported in favor of its passage in concurrence;

Thereupon, on motion of Mr. Lane, the bill was *ordered* to lie.

A proposal of amendment to the Constitution, relating to the Legislature's power to control the traffic in intoxicating drinks,

Was taken up;

And on motion of Mr. Dana *ordered* re committed to the Committee on Constitutional Amendments.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a House bill as amended entitled

H. 109. An act abolishing counsel fees in certain cases,

Reported in favor of its passage in concurrence with proposals of amendment formerly agreed upon;

Thereupon Mr. Dillingham moved that the Senate propose to the House to amend the bill by striking out in line two, three and four of section one, the words, "assigned to defend a respondent in a criminal proceeding nor to counsel;"

Which was disagreed to;

Whereupon the bill was passed in concurrence with proposals of amendment.

Mr. Start, from the Judiciary Committee, to which was referred a bill entitled

S. 141. An act relating to commitments;

Reported in favor of its passage;

Thereupon, on motion of Mr. Safford, rule twenty-one was suspended,

And the bill was read the third time and passed.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 351. An act to incorporate the Rochester Mountain Sanitarium and Health Resort Association;

To the General Committee.

H. 296. An act to pay George H. Sowles the sum therein named;

H. 350. An act to pay Thomas A. Richardson the sum therein named;

H. 360. An act to pay Alvaro Adset the sum therein named;

To the Committee on Claims.

Mr. Dunton moved that the Senate request the House to return to its possession a House bill entitled

H. 433. An act amending the second section of an act to incorporate the village of Montpelier, approved November 14, 1855,

Which was agreed to.

On motion of Mr. Peck a bill entitled

S. 120. An act to provide for the construction of a bridge from Alburgh to Isle La Motte,

Was taken up.

On motion of Mr. Dwinell the bill was *ordered* to lie and be made the special order of to-morrow morning at ten and one-half o'clock.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have acceded to the request of the Senate for the appointment of a Committee of Conference upon the disagreeing votes of the two Houses on Senate bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

And have appointed as such committee,

Mr. Harvey of Topsham,
" Allen of Fair Haven,
" Woodworth of Underhill.

On motion of Mr. Goodsell a bill entitled

S. 117. An act establishing the Vermont Board of Agriculture,

Was taken up,

And the vote of the Senate indefinitely postponing reconsidered.

The question being, Will the Senate agree to the amendment offered by the Senator from Addison?

The same was agreed to.

Mr. North moved that the bill be committed to a Senator to amend

by striking out of lines two and three of section two the words, "two dollars a day each and;"

Which was disagreed to;

Thereupon the bill was passed.

EXECUTIVE SESSION.

On motion of Mr. Safford the Senate went into Executive Session at five and one-half o'clock to consider a communication from His Excellency the Governor.

The President laid before the Senate the following:

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, December 17, 1880.

To the President of the Senate:

SIR:—I have the honor to nominate for the consideration and action of the Senate, as directors of the State Prison and House of Corrrection the following named gentlemen:

WILLIAM H. H. BINGHAM of Stowe,

For the term of two years from the first day of December instant.

CHARLES THATCHER of Bennington,

For the term of four years from the first day of December instant.

ROSWELL FARNHAM,
Governor.

Which was read and, on motion of Mr. Dana, referred to the Committee on State Prison.

On motion of Mr. Gleed the Executive Session was dissolved and the doors of the Senate were opened.

On motion of Mr. Dwinell the Senate adjourned.

SATURDAY, DECEMBER 18TH, 1880.

President *pro tempore* in the chair.

Prayer by the Chaplain.

Mr. Dana offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the joint assembly for the election of State Superintendent of Education be postponed from Saturday, December 18th, at eleven o'clock, A. M., to Wednesday, December 22d, at half-past two o'clock in the afternoon;

Which was read, and adopted on the part of the Senate.

Mr. Weed offered the following joint resolution:

Resolved by the Senate and House of Represetatives, That the two Houses meet in joint assembly on Wednesday, December 22, 1880, at two and one-half o'clock in the afternoon for the purpose of electing a railroad commissioner and three supervisors of the insane;

Which was read and adopted on the part of the Senate.

Mr. Start, for the Committee on the Judiciary, submitted a bill entitled

S. 207. An act providing for the issue of a writ of possession in certain cases,

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution from the Senate postponing the joint assembly,

Also joint resolution providing for a joint assembly;

And have refused to adopt the same in concurrence.

Mr. Lane moved that the Senate take up a House bill entitled

H. 399. An act to incorporate the Dover Center Store Company,

And recommit the same to the General Committee;

Which was agreed to;

A House bill entitled

H. 446. An act to amend section nine of chapter forty-eight of the General Statutes,

Was read the third time and passed in concurrence.

A bill entitled

S. 201. An act providing for building additions to the State House,

Was taken up;

Thereupon Mr. Field moved that the bill lie and be made the special order for Monday afternoon at two and one-half o'clock;

Which was agreed to.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have adopted on their part a joint resolution providing for a joint assembly;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 26. An act in relation to the collection of taxes,

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 455. An act to authorize fire insurance companies,

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part joint resolution relating to final adjournment;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bill entitled

H. 64. An act relating to highways and bridges and liabilities of towns as to damages,

And have concurred therein.

Mr. Dunton moved that the Secretary be directed to procure the printing of five hundred copies of the report of the Joint Committee on the Library, together with the report of the commissioners to devise a plan for the better accommodation of the State Library, etc., submitted in 1878;

Which was agreed to.

A House bill entitled

H. 448. An act entitled, The Revised Laws of Vermont, 1880,

Was taken up as a special order;

Thereupon Mr. Dillingham moved that the Senate propose to the House to further amend the bill as follows:

First, By striking out "and a superintendent of the Reform School," after "Correction," in line three of section 4094;

Second, By inserting the word *and* between "prison" and "a," in line two of the same section;

Third, By inserting after section 4094 the following section:

Sec. 4094(*a*). *The trustees of the Reform School shall biennially appoint a superintendent of the Reform School, who shall hold his*

office for two years, commencing on the first day of December of the year of the regular session of the General Assembly, and until his successor is appointed. Such superintendent may be removed at any time by the trustees, and they may fill a vacancy occurring in the office for the unexpired term;

Which was agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

A bill entitled

S. 204. An act providing for the attachment and levy of execution on mortgaged real estate in certain cases,

Was taken up and *ordered* to be read the third time Monday morning.

EXECUTIVE SESSION.

At ten o'clock and thirty minutes, on motion of Mr. Dana, the Senate went into Executive Session.

Mr. Blodgett submitted the following report:

SENATE CHAMBER,
Montpelier, December 18, 1880.

To the Honorable Senate now in session:

The Committee on the Reform School, to whom was referred a communication in writing from the Governor, under date of December 17, 1880, respectfully report that they have considered the same and recommend that the nomination therein made of Ebenezer J. Ormsbee of Brandon, Henry R. Start of Bakersfield and Julius J. Estey of Brattleboro, as trustees of the Vermont Reform School, be confirmed by the Senate.

E. D. BLODGETT, } For the Committee on
ORA PAUL, } the part of the Senate.

Thereupon Ebenezer J. Ormsbee of Brandon, Henry R. Start of Bakersfield and Julius J. Estey of Brattleboro were confirmed by the Senate as trustees of the Vermont Reform School.

Mr. Dana submitted the following report:

STATE OF VERMONT.

SENATE CHAMBER,
Montpelier, December 18, 1880.

To the Honorable Senate:

The Committee on State Prison, to whom was referred the communication of His Excellency the Governor, nominating for the consideration of the Senate as directors of the State Prison and House of Correction William H. H. Bingham of Stowe and Charles

Thatcher of Bennington, beg leave to report that they have considered the same and recommend that the nominations be confirmed.

EDWARD S. DANA,
For the Committee.

Thereupon the nominations of W. H. H. Bingham of Stowe, for the term of two years, and Charles Thatcher of Bennington, for the term of four years, as directors of the State Prison were confirmed.

The business of the Executive Session having been finished the doors of the Senate were opened.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 448. An act entitled, The Revised Laws of Vermont, 1880;

And have concurred therein.

The hour having arrived for a meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House;

And having returned therefrom,

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the President of the Senate and Speaker of the House of Representatives adjourn their respective Houses without day on Thursday, December 23, 1880, at three o'clock P. M.;

Which was read;

And on motion of Mr. Dana *ordered* to lie.

A bill entitled

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte;

Was taken up as a special order.

Mr. Start moved to fill the blank in section nine of said bill by the words, *seven thousand five hundred;*

Which was disagreed to.

Mr. Fuller moved to amend the bill by filling the blank in said section nine with the words *five thousand;*

Mr. Henry moved to amend Mr. Fuller's amendment by making the sum *seven thousand;*

Pending the adoption of which,

Mr. Dunton moved that the bill and pending amendments be recommitted to a select committee consisting of the Committee on Highways and Bridges and the Senators from Franklin county;

Which was agreed to.

Mr. Gleed, from the Committee on the Judiciary, submitted a bill entitled

S. 208. An act relating to the payment of civil damages by venders of intoxicating liquor;

Which was read the first and second times and, under the rule, *ordered* to lie over for twenty-four hours and be printed.

Bills of the following titles were severally taken up and *ordered* to be read third time Monday morning:

S. 203. An act in amendment to section one, chapter forty-eight of the General Statutes;

S. 205. An act relating to canvassing of votes for electors of President and Vice President;

S. 206. An act to amend section thirty-four of chapter thirty-six of the General Statutes.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence:

Thereupon the bills were severally *ordered* to be read the third time Monday morning:

By Mr. Start, from the Committee on the Judiciary,

H. 122. An act to amend number one of the acts of 1876, entitled, An act to establish courts of insolvency and to provide for the equal distribution of the effects of insolvent debtors;

H. 362. An act requiring town officers to make annual settlements of their accounts.

By Mr. Gleed, from the Committee on the Judiciary,

H. 447. An act to amend section two of chapter ninety of the General Statutes.

House bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage in concurrence:

Thereupon the third reading of the bills was refused.

By Mr. Woodworth, from the General Committee,

H. 65. An act to change the names of Emma Jane Caswell and Nelson Austin Caswell to Emma Jane Walker and Nelson Austin Walker, and make them heirs-at-law of Amasa Walker.

By Mr. Gleed, from the Committee on the Judiciary,

H. 387. An act empowering probate courts to authorize guardians of insane persons and spendthrifts to mortgage the real estate of their wards.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a bill entitled

S. 198. An act to protect confidential communications to physicians and surgeons,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Lane, from the General Committee, to which was referred a bill entitled

S. 153. An act to incorporate the New England Fire Insurance Company,

Reported recommending that said bill be amended as follows:

By striking out in line eighteen, section nine, the word "ten," and inserting in lieu thereof the word *five;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time.

On motion of Mr. Dana the bill was *ordered* to lie.

Mr. Dana moved that the Senate take up the motion to reconsider the vote whereby the Senate concurred in House proposals of amendment to a bill entitled

S. 93. An act to abate and suppress nuisances,

Which was agreed to;

Thereupon the Senate refused to reconsider its vote concurring in said amendments.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 138. An act to protect fish in Lily Pond in Athens,

Reported adversely to its passage in concurrence;

Thereupon the third reading of the bill was refused.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a bill entitled

S. 142. An act in relation to remedies supplementary to executions;

Reported recommending that the bill be amended as follows:

First, By inserting in line six, section three, after the word "judgment," the words *to be disposed of on execution according to law;*

Second, By adding to section three the following:

And the creditor may recover according to his right under the statute relating to fraudulent conveyances;

Third, By striking out of line ten of section one the word "county;"

Which first and second amendments were agreed to, but the third disagreed to.

Mr. Safford then moved to amend the bill by inserting in line eleven, section one, after the word "issued," the words *or if the execution was issued from the supreme court, from the presiding judge of the county court to which the action was originally returnable;*

Which was agreed to;

Thereupon the third reading of the bill was *ordered* for Monday morning.

On motion of Mr. Dwinell the Senate adjourned at twelve o'clock and forty-five minutes.

AFTERNOON.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Weed, from the Committee on Elections,

H. 375. An act relating to the election of trustees in the Winooski Graded School District in Colchester.

By Mr. Field, from the Committee on Claims,

H. 296. An act to pay George H. Sowles the sum therein named.

By Mr. North, from the same committee,

H. 350. An act to pay Thomas A. Richardson the sum therein named.

By Mr. Start, from the Committee on the Judiciary,

H. 453. An act in amendment of an act entitled, An act to empower fire district number one in Brandon to bring water into said district, and issue bonds for that purpose.

By Mr. Henry, from the same committee,

H. 223. An act to enable the pew owners and proprietors of the Union meeting house in East Montpelier to dispose of the same.

Bills of the following titles were severally reported from the various committees to which they were referred, adversely to their passage;

Thereupon their third reading was refused.

By Mr. Brown, from the Committee on Manufactures,

S. 130. An act to incorporate the Franklin County Milling and Flouring Company.

By Mr. Gleason, from the Committee on the Judiciary,

S. 187. An act in amendment of an act approved November 19, 1866, entitled, An act relating to criminal prosecutions.

Mr. Safford, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 451. An act to prohibit the service of process by a justice of the peace,

Reported adversely to its passage in concurrence;

Thereupon the third reading of the bill was refused.

House bills of the following titles were severally reported from the committees to which they were referred, in favor of their passage in concurrence;

Thereupon the third reading of the bills was *ordered* for Monday morning:

By Mr. Sykes, from the General Committee,

H. 70. An act authorizing towns, ecclesiastical societies and cemetery associations to receive donations for the care of cemeteries and burial lots.

By Mr. Safford, from the Committee on the Judiciary,

H. 408. An act relating to estates of wards in other States or countries.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have voted to reconsider their vote concurring in Senate proposals of amendment to House bill entitled

H. 64. And act relating to highways and bridges, and liabilities of towns as to damages,

Have refused to concur in the same, and ask for a Committee of Conference;

And have appointed as such committee on their part,

Mr. Judevine of Hardwick,
" Merrifield of Newfane,
" Thompson of Irasburgh.

The House have acceded to the request of the Senate to return to the possession of the Senate House bill entitled

H. 433. An act amending the second section of An act to incorporate the village of Montpelier, approved November 14, 1855.

Mr. Dwinell, from the Committee on the Grand List, to which was referred a bill entitled

S. 168. An act to amend section twenty-nine of chapter eighty-three of the General Statutes,

Reported in favor of its passage.

The question then being, Shall the bill be read the third time?

Mr. Dana moved that the further consideration of the bill be indefinitely postponed;

Which was disagreed to—yeas, 10; nays, 11.

Mr. North having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Sykes,
Dana,	Lane,	Thatcher,
Darling,	Paul,	Weed—10.
Field,		

Those Senators who voted in the negative are Messrs.

Brown,	Dwinell,	North,
Cook,	Gleed,	Safford,
Dillingham,	Henry,	Start—11.
Dunton,	King,	

So the motion to indefinitely postpone was disagreed to.

Mr. Dunton moved that the bill be committed to a Senator to amend by striking out section one and inserting in lieu thereof the following:

Sec. 1. *Section twenty-nine of chapter eighty three of the General Statutes is hereby amended so as to read as follows: The listers of the several towns in the discharge of their official duties are hereby authorized to administer oaths in all cases required by this chapter; and all persons liable to taxation shall, when required by the listers, make disclosure on oath or affirmation of their property including the names of persons indebted to them.*

Mr. Dunton moved that the bill with pending amendments be recommitted to the Committee on the Grand List,

Which was disagreed to.

The question then being, Shall the bill be committed to a Senator to amend as proposed by the Senator from Rutland?

It was decided in the negative.

Pending the question, Shall the bill pass?

Mr. Dwinell moved that it be *ordered* to lie,

Which was disagreed to;

And the question recurring, Shall the bill pass?

It was decided in the negative—yeas, 5; nays 11.

Mr. Cook having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Cook,	North,	Start—5.
King,	Safford,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Pember,
Dana,	Henry,	Sykes,
Darling,	Lane,	Thatcher—11.
Field,	Paul,	

So the passage of the bill was refused.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day returned without his approval a bill originating in the Senate of the following title, viz.:

S. 116. An act to incorporate the Freewill Baptist Society of the town of Sutton.

The President laid before the Senate the following communication from His Excellency the Governor

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, December 18, 1880.

To the President of the Senate:

SIR:—I have the honor to return to the Senate, where it originated, Senate bill number 116, entitled, "An act to incorporate the Freewill Baptist Society of the town of Sutton," without my approval.

The bill incorporates the persons named under the title of the Freewill Baptist Society, and after providing for some of the usual powers of corporations it further provides that the corporation "shall be vested with full powers to purchase land or real estate at any time considered necessary to build a house of worship and parsonage, or keep in good and sufficient repair a house of worship and parsonage, and may procure insurance against fire on the same; also to receive and hold any gifts, donations, legacies or bequests intended for said society, or which may from time to time be made to such society, for the purposes hereinbefore named or for the support of the preaching of the gospel in said society's house of worship or for *any other purpose connected with the object or interest of said society.*"

Section six of chapter eighty-three of the General Statutes provides that all real and personal estate granted, sequestered or used for public, pious or charitable uses shall be exempt from taxation and shall not be set in the list.

Should this bill become a law the corporators might hold real or personal estate to an unlimited extent not subject to taxation, provided the property was held for any "purpose connected with the object or interests of said society."

If some society of the Romish church had come up here from Burlington or Rutland with such a bill the whole Legislature would have been alive at once to the danger to popular rights. The society that asks for this charter may be a small one and the incorporators men to be trusted, but the principle is the same. Such acts of incorporation ought not to be granted without fixing the limit of property that may be acquired and held by religious societies.

A slight amendment will make this bill every way satisfactory, but as it is now framed, I decline to approve it and return it without my signature.

ROSWELL FARNHAM,
Governor.

Which was read;

Thereupon, on motion of Mr. Blodgett, the communication was *ordered* to lie.

On motion of Mr. Fuller the Senate adjourned at four o'clock and five minutes.

MONDAY, DECEMBER 20TH, 1880.

Prayer by J. Edward Wright of Montpelier.

A bill entitled

S. 205. An act relating to the canvassing of votes for electors of President and Vice President,

Was read the third time;

Thereupon Mr. Dana moved that the bill be committed to a Senator to amend by striking out section three;

Which was agreed to;

Thereupon the bill was committed to the Senator from Addison to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

Mr. King, from the Joint Committee on the Library, submitted a bill entitled

S. 209. An act relating to the State Library;

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

The President appointed as a Committee of Conference agreeably to the request of the House on House bill entitled

H. 64. An act relating to highways and bridges, and liabilities of towns as to damages,

Senator North of Addison,
" Dunton of Rutland,
" Dwinell of Washington.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 362. An act requiring town officers to make annual settlements of their accounts;

H. 447. An act to amend section two of chapter ninety of the General Statutes;

H. 408. An act relating to estates of wards in other States or countries.

A bill entitled

S. 203. An act in amendment of section one of chapter forty-eight of the General Statutes,

Was read the third time;

Thereupon, on motion of Mr. Dana, the bill was re-committed to the Committee on the Judiciary.

A bill entitled

S. 204. An act providing for the attachment and levy of execution on mortgaged real estate in certain cases;

Also a bill entitled

S. 142. An act in relation to remedies supplementary to executions;

Were severally read the third time and passed.

A bill entitled

S. 206. An act to amend section thirty-four of chapter thirty-six of the General Statutes,

Was read the third time;

Thereupon, on motion of Mr. Fuller, the bill was *ordered* to lie.

A House bill entitled

H. 122. An act to amend number one of the acts of 1876, entitled, An act to establish courts of insolvency and to provide for the equal distribution of the effects of insolvent debtors;

Was taken up,

And on motion of Mr. Safford was *ordered* to lie.

A House bill entitled

H. 70. An act authorizing towns, ecclesiastical societies and cemetry associations to receive donations for the care of cemeteries and burial lots;

Was read the third time;

And on motion of Mr. Field was *ordered* to lie and be made the special order of three o'clock this afternoon.

Mr. Lane offered the following resolution:

Resolved, That the Committee on the Judiciary are requested to report a bill defining "what shall constitute a vacancy in the office of assistant judge of the county court;

Which was read and adopted.

A bill entitled

S. 207. An act providing for the issue of a writ of possession in certain cases,

Was taken up and third reading *ordered* to-morrow morning.

Mr. Field, from the Committee on Claims, submitted a bill entitled

S. 212. An act relating to the compensation of certain officers;

Which was read the first and second times and, under the rule, *ordered* to lie over twenty four hours and be printed.

Mr. Pember, from the Committee on Highways and Bridges, to which was referred a bill entitled

H. 422. An act in relation to toll bridges;

Reported in favor of its passage in concurrence;

Thereupon Mr. Fuller moved that the Senate propose to the House to amend the bill by striking out in line ten of section one the word "five" and inserting in lieu thereof the word *two*;

Which was agreed to;

Whereupon the bill was passed in concurrence with proposals of amendment.

A House bill entitled

H. 455. An act to authorize fire insurance companies,

Was read the first and second times and referred to the Committee on the Judicary.

Mr. Henry, from the Committee on the Judiciary, to which was referred a bill entitled

S. 171. An act to prescribe the number of selectmen in towns of over six thousand inhabitants and giving them power to appoint and remove highway surveyors and overseers of the poor;

Reported recommendeing the adoption of the two accompanying substitute bills:

Thereupon bills of the following titles:

S. 210. An act in relation to highway survoyors in towns of over six thousand inhabitants;

S. 211. An act in relation to town meetings in towns of over six thousand inhabitants;

Were read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

Mr. Henry, from the Committee on Constitutional Amendments, submitted a proposal of amendment to the Constitution of the State relating to future proposals of amendment to the Constitution;

Which was read;

Thereupon said amendment having failed to receive the requisite two-thirds vote of the me nbers of the Senate, the Senate refused to make the proposed amendment to the House.

Mr. Brown, from the Committee on Land Taxes, to which was referred a bill entitled

S. 164. An act relating to the collection of taxes;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A bill entitled

S. 208. An act relating to payment of civil damages by venders of intoxicating liquor,

Was taken up;

And the question being, Shall the bill be read the third time?

Mr. Start moved that the bill lie and be made the special order for this afternoon at three o'clock;

Which was disagreed to.

Mr. Fuller moved that the bill be amended by inserting after the word "done," in the fourth line of section one, the words *by reason of said intoxication;*

Which was disagreed to.

Mr. Field moved that the bill be amended by striking out in lines sixteen and seventeen of section one, the words, "and fifty cents;"

Which was agreed to—yeas, 10; nays, 4.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Goodsell,	Safford,
Dillingham,	King,	Start,
Field,	Pember,	Sykes—10.
Fuller,		

Those Senators who voted in the negative are Messrs.

Dana,	Paul,	Woodhouse—4.
Judevine,		

The point being made that there was no quorum voting,

Mr. Safford moved that the Senate do now adjourn;

Which was disagreed to.

Mr. Dillingham moved a call of the Senate,

Which was agreed to;

Whereupon the following named Senators answered to their names:

Blodgett,	Goodsell,	Safford,
Cook,	Judevine,	Start,
Dana,	King,	Sykes,
Dillingham,	Lane,	Thatcher,
Field,	Paul,	Woodhouse—17.
Fuller,	Pember,	

And it was found that a quorum was present.

Thereupon Mr. Dana moved that further proceedings under the call be dispensed with;

Which was agreed to.

Whereupon the question recurring on the paoposal of amendment to said bill, offered by the Senator from Windsor,

The amendment was agreed to—yeas, 13; nays, 3.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Judevine,	Safford,
Dillingham,	King,	Start,
Field,	Lane,	Sykes,
Fuller,	Pember,	Thatcher—13.
Goodsell,		

Those Senators who voted in the negative are Messrs.

Dana,	Paul,	Woodhouse—3.

So the amendment was agreed to.

Mr. Field moved that the bill lie, and be made the special order for this afternoon at three o'clock;

Which was agreed to.

A House bill entitled

H. 287. An act entitled, An act for the re-organization and encouragement of the State militia,

Was called up.

Mr. Safford moved that the Senate propose to the House to amend the bill by striking out section two and inserting in lieu thereof a new section, as follows:

Sec. 2. Polls of members of the State Militia may be exempt from taxation, if their respective towns shall so vote ;

Pending the adoption of which,

On motion of Mr. Dillingham, the bill and pending amendment was *ordered* to lie.

Mr. Field, from the Committee on Claims, to which was referred House bill entitled

H. 360. An act to pay Alvaro Adset the sum therein named,

Reported in favor of its passage ;

Thereupon the bill was read the third time and passed in concurrence.

On motion of Mr. Dillingham the Senate adjourned.

AFTERNOON.

Mr. Dana, from the Committee on State Prison, to which was recommitted a House bill entitled

H. 371. An act to appropriate money for repairs and additions to the State Prison,

Reported in favor of its passage ;

Thereupon the bill was passed in concurrence.

Mr. Dwinell, from the Committee on Grand List, to which was referred a bill entitled

S. 163. An act in relation to the taxation of railroad property,

Reported the same back to the Senate without an expression of opinion;

Thereupon Mr. Safford moved that the bill be amended by striking out the first section and inserting in lieu thereof the following:

SECTION 1. Whenever a general appraisal of real estate may be hereafter required by law, the Governor of the State shall appoint three disinterested persons who shall proceed to appraise the road beds of the several railroad companies in this State, not specially exempt from taxation, at their true value in money, as of the first day of April of the year such appraisal is made, as the same is used by such company. Such appraisal shall not include depots and other buildings, but shall include trestles, bridges, and other structures which may be a necessary part of the road bed.

SEC. 2. The State listers of railroad property shall complete their appraisal by the first day of May of the year the appraisal is made, and they shall certify to the listers of the several towns through which such railroads pass the average value per mile of the road bed, which sum shall be the sum at which the listers of the several towns shall set each mile of the road bed in the grand lists of the towns.

SEC. 3. The real estate of railroad companies, outside of the road bed, shall be appraised by the listers of the several towns, and shall be set in the several grand lists the same as the property of individuals.

SEC. 4. The fees of the State board of listers hereby created, shall be three dollars for each day's services and their actual expenses, to be audited by the Auditor of Accounts, who is hereby authorized to draw his order on the State Treasurer for the sum or sums which he may allow.

SEC. 5. The Governor shall, during the month of January, in the year 1881, appoint a board of listers to appraise the road bed of railroads, who shall proceed as is provided in this act for listers when a general appraisal is required by law. Such appraisal shall be certified to the listers of the several towns by the first day of May, A. D. 1881, and shall constitute the basis of taxation until thereafter a general appraisal of real estate is required by law.

Mr. Fuller moved to amend the amendment offered by the Senator from Franklin by striking out the word "three," in the second line of section four, and inserting in lieu thereof the word *five ;*

Which was disagreed to ;

Thereupon, on motion of Mr. Gleed, the bill was *ordered* to lie and the amendments offered by the Senator from Franklin to be printed.

Mr. Safford, from the Committee on Court Expenses, to which was referred a bill entitled

S. 115. An act reducing the fees of county clerks,

Reported recommending that the bill be amended as follows :

By striking out all after the enacting clause and inserting in lieu thereof the following :

SECTION 1. The fees to be paid by the State to county clerks in all State causes shall be one-half of what is now allowed them therefor by law ; but the costs to be taxed against respondents shall not be affected hereby.

SEC. 2. There shall be allowed the clerks of the several county courts for receiving money for fines and costs and all other moneys payable by law to the clerk (except on State Auditor's orders and money paid to the clerk to redeem premises from foreclosure), one per centum ; but not exceeding three dollars on account of any one transaction.

Pending which,

The bill was *ordered* to lie and the amendments to be printed.

Mr. Lane, from the General Committee, reported a bill entitled

S. 213. An act to incorporate the Freewill Baptist Society of the town of Sutton ;

Which was read the first and second times,

And on motion of Mr. Blodgett, under a suspension of rules,

Was read the third time and passed.

Mr. Safford, from the Judiciary Committee, reported a bill entitled

S. 214. An act relating to vacancies in the office of assistant judge of the county court;

Which was read the first and second times,

And, under the rule, *ordered* to lie over twenty-four hours, and be printed.

Mr. Paul, from the Committee on Agriculture, to which was referred a bill entitled

S. 67. An act for the protection of domestic animals,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Peck, from the Joint Committee on the House of Correction, to which was referred a bill entitled

S. 139. An act to provide for the appointment of a chaplain for the House of Correction and the payment for the transportation of discharged convicts to their homes,

Reported recommending that the bill be amended by inserting after the word "dollars," in the eighth line of section one, the words *for the entire service of such clergyman;*

Which was agreed to;

Whereupon Mr. Dunton moved that the bill be amended by striking out section one, and inserting a new section as follows:

Section 1. *The directors of the House of Correction are hereby authorized to employ a chaplain therefor at a compensation not exceeding two hundred dollars per annum, and the duties of such chaplain shall be the same as are required of the chaplain of the State Prison;*

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Sykes, from the General Committee, to which was referred a House bill entitled

H. 266. An act in further amendment of the several acts relating to the city of Burlington,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

A bill entitled

S. 201. An act providing for the building additions to the State House,

Was taken up as a special order;

And, on motion of Mr. Dunton, was *ordered* to lie and be made the special order for to morrow morning at ten and one half o'clock.

Mr. Woodhouse, from the Committee of Conference, on the disagreeing votes of the two Houses on a bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

Submitted the following report:

December 20, 1880.

The Committee of Conference on the disagreeing votes of the two Houses on Senate bill No. 128, respectfully report that having met and had full and free conference thereon, they have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its proposal of amendment.

CHAS. W. WOODHOUSE,
CHAS. THATCHER,
FRED G. FIELD,
} Managers on the part of the Senate.

R. M. HARVEY,
G. W. WOODWORTH,
E. L. ALLEN,
} Managers on the part of the House.

Which was read, and adopted on the part of the Senate.

Mr. Field, from the Committee on Printing, to which was referred a bill entitled

S. 165. An act providing for the printing of a catalogue of the principal State officers connected with the political history of the State,

Reported recommending that the bill be amended by striking out section three;

Which was agreed to.

Mr. Fuller moved that the bill be committed to a Senator to amend by adding to the last section of said bill the words,

The total expenses shall not exceed seven hundred and fifty dollars;

Which was agreed to;

Thereupon the bill was committed to the Senator from Windham to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Thereupon the bill was passed.

Mr. Field, from the Committee on Claims, to which was referred a House bill entitled

H. 114. An act to pay the Rutland County National Bank the sum therein named,

Reported recommending that the Senate propose to the House to amend the bill by striking out in section one, line four the words "three hundred sixty-five and 64-100," and inserting in lieu thereof the words *seven hundred five and* 80-100;

Which was agreed to;

Thereupon the bill was read the third time, and passed in concurrence with proposal of amendment.

A bill entitled

S. 208. An act relating to payment of civil damages by venders of intoxicating liquor,

Was taken up as a special order, and passed.

Mr. Start called from the table a bill entitled

S. 202. An act relating to scholarships,

And moved that the same be re-committed to the Committee on Education;

Which was agreed to.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 402. An act directing the State Treasurer to deliver funds in his hands to the treasurer of the Green Mount Cemetery Association at Burlington;

H. 460. An act relating to the duties of the auditor of accounts;

H. 463. An act compelling certain railroad companies to keep a flagman at the railroad crossing in the main street in Newport village in the town of Newport, Vermont;

H. 459. An act to amend section two of chapter fifteen of the General Statutes;

H. 461. An act relating to the continuance of cases to the general term of the supreme court;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 178. An act to incorporate the Ely Copper Company;

S. 184. An act to incorporate the Pike Hill Copper Company;

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 286. An act relating to offsets in the taxation of personal property,

In the passage of which the concurrence of the Senate is requested.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that Dec. 18 he approved and signed bills originating in the Senate of the following titles, viz.:

S. 98. An act in amendment of and in addition to chapter ninety-nine of the General Statutes, relating to nuisances;

S. 64. An act vesting police powers, and punishing depredations upon fair grounds;

S. 174. An act in relation to winter roads;

S. 191. An act in relation to the printing of the Journals of the General Assembly;

S. 192. An act in relation to unexpended balances of appropriations;

S. 124. An act relating to the attachment and sale of mortgaged personal property;

S. 159. An act relating to intoxication.

Mr. Dillingham called from the table House bill entitled

H. 287. An act entitled, An act for the re-organization and encouragement of the State militia;

Thereupon the amendment proposed by the Senator from Franklin was agreed to,

And the bill was passed in concurrence, with proposals of amendment.

Mr. Safford called up a bill entitled

S. 108. An act to commute the sentence of Edwin C. Hayden.

The question being, Shall the bill be read the third time?

It was decided in the negative—yeas, 6; nays, 14.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Brown,	Darling,	North,
Dana,	Dwinell,	Weed—6.

Those Senators who voted in the negative are Messrs.

Blodgett,	Gleed,	Pember,
Bridgman,	Goodsell,	Robinson,
Cook,	Henry.	Safford,
Dillingham,	Judevine,	Start,
Dunton,	King,	Sykes,
Field,	Lane,	Thatcher,
Fuller,	Paul,	Woodhouse,
Gleason,	Peck,	Woodworth—14.

So the third reading of the bill was refused.

Thereupon the following resolution submitted by the committee was read:

Resolved, That the Secretary of the Senate be, and he is, hereby directed to turn over to the counsel for Edwin C. Hayden, the copy of the testimony taken at his trial before the jury in 1877, to enable him to make application to the courts for a new trial.

Mr Dana moved to amend the resolution by inserting after the words "jury in 1877," the words, *and all of the testimony taken before the Committee of the Senate;*

Which was agreed to;

Thereupon the resolution as amended was adopted.

Mr. Start, from the special committee, to which was referred a bill entitled

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte,

Reported recommending that the bill be amended as follows:

First, By striking out the word "five," in line twelve, section three, and inserting in lieu thereof the word *ten;*

Second, By filling the blank at the end of section three with the words *St. Albans or Burlington;*

Third, By filling the blank in section nine with the words *seven thousand ;*

Fourth, By striking out in the tenth line of section nine the words "January, 1889," and inserting in lieu thereof the words *October*, 1882;

Which were agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 444. An act to equalize taxation,

In the passage of which the concurrence of the Seaate is requested.

A bill entitled

S. 26. An act in relation to the collection of taxes,

Was taken up, having been returned from the House with the following proposals of amendment:

First, By striking out all of section one and inserting in lieu thereof the following:

Sec. 1. *In any town which may vote to accept the provisions of this act the selectmen shall hereafter make all tax bills now required by law to be made and verified by them, except highway tax bills, and deliver the same to the treasurer of the towns ;*

Second, By striking out of lines four and five of section three, the words "together with five per cent thereto added;"

Third, By striking out all of lines one and two and the first word, "treasurer," in line three of section four;

Also by striking out in line three of said section, before the words "be allowed," the word "also;"

Fourth, By striking out of section six, line one, the word "thirty," and inserting in lieu thereof the word *sixty ;*

Fifth, By adding a new section to be called section seven, as follows:

Sec. 7. *Any village incorporated by the laws of this State, or any school district, may collect its taxes in the manner provided in this act, if it shall so vote at the meeting at which the tax may be raised ; and thereupon the duties herein prescribed to be performed by the selectmen, treasurers and collectors of towns shall be performed by the principal officers, treasurers and collectors of such village, or the prudential committees, treasurers and collectors of such school districts, respectively ;*

Sixth, By re-numbering section seven as it now stands, and make t read *section eight ;*

Thereupon, on motion of Mr. Safford, the Senate refused to concur in the adoption of said amendments.

Joint resolution from the House relating to final adjournment, on motion of Mr. Field, was taken up;

Thereupon, on motion of Mr. Dana, the same was *ordered* to lie, and be made the special order for to-morrow morning at eleven o'clock.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 57. An act to amend an act entitled, An act relating to the compensation of town superintendents, approved November 21, 1878;

H. 356. An act to amend section twenty-four of chapter forty-eight of the General Statutes;

H. 276. An act to legalize the grand lists of the town of Castleton for the years 1870, 1871, 1872, 1873, 1874 and 1880;

H. 330. An act to stop interest on overdue town and school district orders;

H. 253. An act laying a tax on the county of Franklin;

H. 228. An act to amend section thirty of chapter one hundred and thirteen of the General Statutes;

H. 257. An act to legalize the grand list of the town of Pomfret;

H. 215. An act to pay the brother and sisters of Henry Wells, *alias* Walsh, the amount of State pay now due the said Wells, *alias* Walsh, from the treasury;

H. 335. An act giving an appeal to tax collectors in certain cases;

H. 438. An act defining the word "tramp;"

H. 324. An act to enable the First Universalist Society of Halifax to dispose of its chapel;

H. 208. An act laying a tax on the grand list of the real estate of the town of Averill in the county of Essex;

H. 325. An act to incorporate the Canaan Aqueduct Company;

H. 339. An act in amendment of and in addition to section seven of chapter one hundred and twenty-one of the General Statutes of the State of Vermont.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 196. An act extending the time for the completion of the Montpelier and White River Railroad, and for other purposes.

WALTER A. WEED,
For Committee.

A bill entitled

S. 178. An act to incorporate the Ely Copper Company,

Was taken up;

Having been returned from the House with the following proposal of amendment:

By adding to the bill a new section, viz.:

Sec. 9. *This act shall not be so construed as to exempt from taxation any stock, property or right whatsoever;*

Thereupon the amendment was concurred in.

A bill entitled

S. 184. An act to incorporate the Pike Hill Copper Company,

Was taken up,

Having been returned from the House with the following proposal of amendment, viz.:

By adding to said bill the following as a new section:

Sec. 6. *This act shall not be so construed as to exempt from taxation any stock, property or right whatsoever;*

Which was concurred in.

Mr. Pember moved that the Senate reconsider its vote refusing to pass a bill entitled

S. 168. An act to amend section twenty-nine of chapter eighty-three of the General Statutes;

And that the motion to reconsider be *ordered* to lie;

Which latter motion was disagreed to—yeas, 12; nays, 14.

Mr. Dunton having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Dwinell,	Pember,
Brown,	Gleed,	Robinson,
Cook,	King,	Safford,
Dunton,	North,	Start—12.

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Sykes,
Dana,	Judevine,	Thatcher,
Darling,	Lane,	Weed,
Dillingham,	Paul,	Woodhouse—14.
Field,	Peck,	

So the motion to lie was disagreed to.

The question being, Will the Senate reconsider its vote refusing to pass the bill?

It was determined in the negative—yeas, 12; nays 14.

Mr. Dunton having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Dwinell,	Pember.
Brown,	Gleed,	Robinson,
Cook,	King,	Safford,
Dunton,	North,	Start—12.

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Sykes,
Dana,	Judevine,	Thatcher,
Darling,	Lane,	Weed,
Dillingham,	Paul,	Woodhouse—14.
Field,	Peck,	

So the motion to reconsider was disagreed to.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 444. An act to equalize taxation;

H. 286. An act relating to offsets in the taxation of personal property;

To the Committee on the Grand List.

H. 459. An act to amend section two of chapter fifteen of the General Statutes;

H. 461. An act relating to continuance of cases to the general term of supreme court;

H. 460. An act relating to the duties of the auditor of accounts;

To the Committee on the Judiciary.

H. 402. An act directing the State Treasurer to deliver funds in his hands to the treasurer of the Green Mount Cemetery Association at Burlington;

To the Committee on Finance.

H. 463. An act compelling certain railroad companies to keep a flagman at the railroad crossing in the main street in Newport village in the town of Newport;

To the Committee on Railroads.

A House bill entitled

H. 70. An act authorizing towns, ecclesiastical societies and cemetry associations to receive donations for the care of cemeteries and burial lots,

Was taken up as a special order,

And on motion of Mr. Sykes *ordered* to lie.

Mr. North, from the Committee on Highways and Bridges, to which was referred a bill entitled

S. 156. An act to compel the selectmen to keep the margins of the highways free from bushes;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a bill entitled

S. 186. An act in relation to the filling of vacancies in the offices of chief judge and assistant judges of the supreme court;

Reported recommending that the bill be amended by striking out in lines seven, eight, nine and ten the words, "such vacancy may be filled by appointment from the assistant judges and;"

Pending the adoption of which,

On motion of Mr. Start the bill and amendment were *ordered* to lie.

Mr. Paul, from the Committee on State Prison, to which was referred a bill entitled

S. 131. An act amending sections twenty-six, twenty-seven and twenty-eight of chapter one hundred and twenty-three of the General Statutes;

Reported recommending that the bill be amended as follows:

By striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. When a person confined in the State Prison or House of Correction for a limited time escapes therefrom and is retaken and returned to the institution from which he escaped, the term for which he was sentenced to be confined shall be deemed as commenced at the time he is so returned, and he shall be confined, after his return, the whole term for which he was sentenced.

SEC. 2. The Governor may discharge a convict in the State Prison or House of Correction sentenced by the authority of the State, on such conditions as he judges proper, which discharge shall contain a copy of the witnesses on which the convict was committed, the conditions of the discharge and sections one, two and three of this act. And the Governor shall cause all such discharges to be recorded at length in a book kept by him for that purpose.

SEC. 3. If a convict so discharged fails to keep the conditions of his discharge, he shall be deemed to have escaped from the institution from which he was discharged and shall be subject to the provisions of section one of this act. And the Governor granting such discharge, or his successor, on becoming satisfied that such convict has failed to keep the conditions of his discharge, shall issue, under his official signature and the seal of the State, a copy of the mittimus on which the original commitment was made, which copy shall have all the force of the original mittimus to arrest, return, re-commit and detain such convict in the institution from which he was discharged.

SEC. 4. Sections twenty-six, twenty-seven and twenty-eight of chapter one hundred twenty-three of the General Statutes are hereby repealed.

SEC. 5. This act shall take effect from its passage;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

On motion of Mr. Dana the Senate adjourned.

TUESDAY, DECEMBER 21st, 1880.

Reading of Scriptures and prayer by the Chaplain.

A bill entitled

S. 209. An act relating to the State Library,

Was taken up,

And *ordered* to be read the third time this afternoon at three o'clock.

Mr. Safford, from the Committee on the Judiciary, submitted a bill entitled

S. 215. An act granting the privilege of labor to Edwin C. Hayden until an application for a new trial is disposed of;

Which was read the first and second times and, under a suspension of the rules, third reading *ordered;*

Read the third time and passed.

A bill entitled

S. 201. An act providing for building additions to the State House,

Was taken up as a special order;

Thereupon the third reading of the bill was refused.

Bills of the following titles were severally taken up and *ordered* to be read third time to-morrow morning:

S. 210. An act in relation to highway surveyors in towns of over six thousand inhabitants;

S. 214. An act relating to vacancies in the office of assistant judge of the county court.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered the report of the Conference Committee appointed to consider the disagreeing votes of the two Houses on House bill entitled

H. 104. An act relating to State Printing and Stationery,

And have adopted the same.

The House have considered the report of the Conference Committee appointed to consider the disagreeing votes of the two Houses on Senate bill entitled

S. 128. An act amending an act in amendment of chapter eighty of the General Statutes,

And refuse to adopt the same.

The House have considered Senate proposals of amendment to House bill entitled

H. 115. An act requiring justices to keep accounts and make certain returns,

And have concurred therein.

The House have considered Senate bill entitled

S. 29. An act to pay George A. Hines the sum therein named,

And have refused the passage thereof in concurrence.

A bill entitled

S. 211. An act in relation to town meetings in towns of over six thousand inhabitants,

Was taken up, *ordered* to be read the third time,

And, under a suspension of the rule, read the third time.

Mr. Safford moved that the bill be committed to a Senator to amend by striking out the word "six," in the second line of section one, and inserting in lieu thereof the word *seven ;*

Which was agreed to ;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

A bill entitled

S. 212. An act relating to the compensation of certain officers,

Was taken up ;

Third reading *ordered*, and read the third time.

Mr. Dana moved that the bill be committed to a Senator to amend by inserting after the word "representatives," in the second line of section one the words *the secretary and ;*

Pending which,

Mr. Bridgman moved that the bill and proposal of amendment lie ;

Which was disagreed to;

Thereupon the amendment proposed by the Senator from Addison was adopted,

And the bill was passed.

The Committee of Conference on the disagreeing votes of the two Houses on a House bill entitled

H. 64. An act relating to highways and bridges and liabilities of towns as to damages,

Submitted the following report:

The Joint Committee of Conference on House bill No. 64 recommend that in lieu of the amendment proposed by the Senate the following amendment to said bill be made as a new section, viz.:

Sec. 13. *This act shall not release towns from liability for damage arising from the insufficiency of bridges of not less than eight feet span.*

If special damage happens to a person, his team, carriage, or other property by means of the insufficiency or want of repairs of a bridge of not less than eight feet span in a town, which the town is liable to keep in repair, the person sustaining the damage may re-

cover the same in an action on the case, and if the damages accrue in consequence of the insufficiency or want of repairs of a bridge of not less than eight feet span erected and maintained by two or more towns, the action shall be brought against all the towns liable for the repairs of the same, and the damages and costs shall be paid by the towns in the proportions in which they are liable for the repairs; and the court may, in its discretion, issue execution against each town for its proportion only. But no person shall recover against a town or other corporation for such damage, sustained in consequence of the passing on a bridge of a carriage bearing a load exceeding ten thousand pounds in weight.

No action shall be had or maintained in any court against a town for injuries received or damages sustained through the insufficiency of a bridge unless notice is first given in writing, signed by the party so injured or claiming damage, to one or more of the selectmen of the town in which the bridge is situated, within twenty days of the time of the occurrence of such injury or damage, stating the time when and the place where the injury was received, and pointing out in what respect the bridge was insufficient or out of repair; and that such person will claim satisfaction of the town. The notice shall also contain a description of the injury received or damage sustained by the person so claiming damage, and if bodily injuries are claimed, the part of the body injured shall be stated, with the extent and effect of the injury upon the health of the person so injured; but this section shall not apply to a case where the person injured is in consequence thereof bereft of reason. But in all cases where notice is given as the law required at the time the injury occurred, such notice shall be held sufficient by the court;

Change section thirteen to section fourteen.

J. N. NORTH,
W. C. DUNTON,
ALBERT DWINELL, } Committee on part of Senate.

A. E. JUDEVINE,
L. H. THOMPSON, } Committee on part of House.

Which was read and adopted on the part of the Senate.

A joint resolution from the House relating to final adjournment Was taken up as a special order.

Mr. Fuller moved that the Senate propose to the House to amend the resolution by striking out the words, "Thursday, December 23, 1880, at three o'clock, P. M.," and inserting in lieu thereof the words, *Saturday, at eleven o'clock in the forenoon;*

Which was disagreed to.

Mr. Field moved that the Senate propose to the House to amend the resolution by striking out the words, "Thursday, December 23, 1880, at three o'clock P. M.," and substituting in lieu thereof the words,

Friday, December 24, 1880, *at eight o'clock and thirty minutes in the forenoon.*

Mr. Dana moved to amend the amendment offered by the Senator from Windsor by changing the time therein named to *three o'clock in the afternoon ;*

Which was disagreed to.

Mr. Safford moved that the resolution and pending amendment of the Senator from Windsor be *ordered* to lie and be made the special order for to-morrow forenoon at eleven o'clock ;

Which was agreed to—yeas, 15 ; nays, 13.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows :

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dillingham,	Goodsell,
Bridgman,	Dunton,	King,
Cook,	Dwinell,	North,
Dana,	Fuller,	Safford,
Darling,	Gleed,	Weed—15.

Those Senators who voted in the negative are Messrs.

Brown,	Paul,	Sykes,
Field,	Peck,	Thatcher,
Gleason,	Pember,	Woodhouse,
Judevine,	Robinson,	Woodworth—13.
Lane,		

So the resolution was *ordered* to lie.

A bill entitled

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte ;

Was read the third time,

And on motion of Mr. Dana *ordered* to lie.

Bills of the following titles were severally read the third time and passed :

S. 131. An act amending sections twenty-six, twenty-seven and twenty-eight of chapter one hundred and twenty-three of the General Statutes, entitled, Of the State Prison ;

S. 207. An act to provide for the issue of a writ of possession in certain cases;

S. 139. An act to provide for the appointment of a chaplain for the House of Correction and the payment for transportation of discharged convicts to their homes.

A bill entitled

S. 164. An act relating to collectors of taxes,

Was read the third time.

Mr. Safford moved that the bill be committed to a Senator to amend by inserting after section seven a new section as follows :

Sec. 8. *When a collector of taxes makes any payment on account of taxes, he shall state the tax on which the same shall be applied ; if he fails to do so the treasurer to whom the same is paid shall im-*

mediately notify the bondsmen of such collector of the fact that no application of the payment has been made and unless the collector shall direct an application within ten days the application made by the treasurer shall be conclusive;

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

On motion of Mr. Sykes a House bill entitled

H. 70 An act authorizing towns, ecclesiastical societies and cemetery associations to receive donations for the care of cemeteries and burial lots,

Was taken up.

Mr. Lane moved that the Senate propose to the House to amend the bill by adding to section one the following:

Provided that the total amount of property held at one time by such society shall not exceed ten thousand dollars in value;

Which was agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

On motion of Mr. Dana the Senate adjourned at twelve o'clock.

AFTERNOON.

Mr. Robinson, from the Committee on Education, to which was referred a bill entitled

S. 185. An act to diminish State expenses,

Reported adversely to its passage;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

Mr. Sykes, from the General Committee, to which was referred a House bill entitled

H. 352. An act in relation to telegraph companies,

Reported recommending that the Senate propose to the House to amend the bill by striking out all of section one after the word "State," in the tenth line of said section, and inserting in lieu thereof the following:

No extra charge shall be made for said transfer within the usual limits of delivering messages in said city or village, and the company receiving the same shall make no extra charge for any additional date construed by them to be necessary because of said transfer;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to morrow morning.

A bill entitled

S. 209. An act relating to the State Library,

Was read the third time and passed.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills of the following titles:

H. 287. An act entitled, An act for the re-organization and encouragement of the State militia;

H. 422. An act in relation to toll bridges;

And have concurred therein.

The House have considered Senate proposals of amendment to House bill entitled

H. 114. An act to pay the Rutland County National Bank the sum therein named,

And refuse to concur therein, and request a Committee of Conference.

The House have, on their part, appointed as such committee on the disagreeing votes of the two Houses,

Mr. Palmer of Jericho,
" Grout of Newport,
" Fletcher, of Cavendish.

The House have considered Senate bill entitled

S. 95. An act to regulate practice in the court of chancery,

And refuse to reconsider its vote whereby the third reading of the bill was refused.

The House have considered Senate bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have passed bills of the following titles:

H. 449. An act to provide for the publication of the Revised Laws of Vermont,

H. 374. An act to provide for the appointment of receivers of consolidated lines of railroads running from adjoining States into this State,

In the passage of which the concurrence of the Senate is requested.

The House have considered the report of the Committee of Conference appointed to consider the disagreeing votes of the two Houses on House bill entitled

H. 64. An act relating to highways and bridges, and liabilities of towns as to damages,

And have adopted the same.

Mr. Dwinell, from the Committee on the Grand List, to which was referred a House bill entitled

H. 444. An act to equalize taxation,

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, By striking out section sixteen and inserting in lieu thereof the following:

Sec. 16. *All real estate shall be appraised and set in the lists in* 1881, *by the listers at its true value in money, on the first day of April in that year, and such appraisal shall be made in connection with the annual list, and completed and filed at the same time as required by law for annual lists. No equalization of such appraisal by any equalizing board shall be required, and it shall be substituted for the last quadrennial appraisal, and continue in force, in lieu thereof, until the next quadrennial appraisal is made;*

Second, By striking out of section twenty, in lines two, three and four, the words,

"The method now provided by law for the appraisal of the road bed of railroads or."

Pending the question, Will the Senate agree to the same?

Mr. Dana moved that the Senate propose to the House to amend the bill by striking out all after the enacting clause, and substituting in lieu thereof the following:

SECTION 1. All taxable property shall be set in the list at one per cent of its value in money, on the first day of April of the year in which the list is made. The listers shall appraise each item of such property at such sum as they would appraise the same in payment of a just debt, due from a solvent debtor, having regard to the current value of such property, and the sales thereof, other than auction sales, in the locality where it is situated.

SEC. 2. The Secretary of State shall annually, on or before the first day of March, furnish at the expense of the State, to the several town and city clerks, blank inventories sufficient in number to meet the requirements of this act, and in the most convenient form, with suitable interrogatories, to contain, when filled, a full statement of all taxable property, real and personal, of each tax-payer in said town or city. Said blanks shall be so formulated by the Secretary of State as to require, under oath, from each person and corporation such full information as to each class and item of his taxable property, real and personal, as will enable the listers after a personal examination of all visible property, to appraise all of such property at its true value in money.

SEC. 3. Said blank inventories shall also contain when filled a statement of all debts actually due from said tax-payer on the first

day of April for which a deduction is claimed; and no deduction shall be made in the list of any person by reason of such debts owing by him, unless such statement includes the name and place of residence of each person or firm to whom he is so indebted, and the amount so owing by him to each person or firm, and no deduction shall be made in the list of any person on account of any liability of such person as surety, guarantor or indorser, and where two or more persons are jointly holden as principals for the payment of any debt, there shall be deducted from their respective lists only such portion of such debt as the whole debt bears to the whole number of persons that are holden for such debt.

SEC. 4. Said inventory shall also contain the following oath:
"I, of , do solemnly swear (or affirm) that the above is a full, true and correct list and description of all my property, both real and personal, liable to taxation under the laws of the State, and that I have set down only such debts as I am unconditionally bound to pay, that my answers to all the interrogatories are correct, and that I have not conveyed or disposed of any property or estate in any manner, or created any fictitious debts for the purpose of evading the provisions of law or affecting the value and amount of my taxable estate. So help me God."

SEC. 5 The town clerks to whom such blanks are furnished shall, with the aid of the listers, distribute at the annual meeting of their respective towns, one copy to each person liable to taxation in the town, who may be present at the meeting. And if any person so liable fails to receive such blank inventory in the manner aforesaid, he shall, if he resides in the town, apply and receive from the town clerk or listers a copy of such blank. on or before the 20th day of March.

SEC. 6. If any person liable to taxation in the town resides out of the town the listers shall, on or before the 20th day of March, forward to such person by mail, addressed to him at his usual post office, a copy of the blank inventory. And such person shall fill out said blank and complete the same in all respects as required by this act and return it to said lister on or before the 10th day of April.

SEC. 7. In case of corporations, the officer on whom it is by law required that writs shall be served, shall procure a copy of the inventory, and each corporation shall fill out such inventory by its president or other principal officer. In case of property belonging to a trustee, estates of deceased persons, and guardians, and of property or estates not in the care or possession of the owner, the inventory shall be procured and filled by the person to whom the property is by law taxable.

SEC. 8. Every person, and the president or principal officer of every corporation, except as is otherwise provided in section six, shall, on the 1st day of April in each year, fill up said blank and make

complete and full answers to all the interrogatories contained therein, and take and subscribe the oath contained in the inventory and deliver said inventory to the lister on demand. The listers are hereby qualified to administer said oath.

SEC. 9. The listers of each town shall, on the 1st day of April annually, proceed to take up such inventories and make such personal examination of all visible property as will enable them to appraise it at its true value in money. In the case of each inventory which, in the opinion of the listers, contains a full, true and correct statement of all the items of property for which the person or corporation filling out such inventory is taxable, they shall make an appraisal of such property according to law and complete the list of such person or corporation.

SEC. 10. If a person or corporation wilfully omits to make, swear to and deliver said inventory, or to answer any interrogatory therein, as by this act required, or makes a false answer or statement therein, or if the listers have sufficient reason to believe that an inventory does not contain a full, true and correct statement of the taxable property of the person or corporation filling out such inventory, according to the requirements of this act, then said listers shall ascertain, as best they can, the amount of the taxable property of such person or corporation, shall appraise the same at its full value and shall double the sum so obtained, and one per cent of the amount obtained by doubling such sum shall be the list upon which the taxes of such person or corporation shall be assessed.

SEC. 11. If a tax-payer whose list has been made up by the listers under the provisions of the preceding section appeals from the action of the listers to the selectmen, said selectmen shall have no power to grant him relief if it appears to them that he has wilfully violated any of the provisions of this act.

SEC. 12. A person who wilfully swears falsely, in violation of any of the provisions of this act, shall be guilty of perjury and punished accordingly.

SEC. 13. Each lister, before entering upon the duties of his office, shall take and subscribe the following oath: "I, , do solmenly swear (or affirm) that I will appraise all the personal and real property subject to taxation in the town of , so far as required by law, at its true value in money, and will set the same into the grand list of said town at one per cent of its true value in money, and will faithfully discharge all the duties conferred upon me by law. So help me God." And if the listers violate such oath they shall each be guilty of perjury and punished accordingly. The oath shall be filed in the town clerk's office.

SEC. 14. If a lister accepts the inventory of a person, not made out and sworn to as provided in this act, or neglects or refuses to appraise and set in the list each item as described in each inventory filled up conformably to the provisions of this act, he shall for each

inventory so received and for each such refusal or neglect forfeit to the town or city where he resides the sum of two hundred dollars; and any tax-payer in such town, in the name of the town, may sue and recover such penalty for the benefit of such town.

SEC. 15. The listers in each town shall arrange in alphabetical order the personal lists of all tax-payers and lodge the same in the town clerk's office, on or before the 25th day of April of each year, for the inspection of the tax-payers of such towns.

SEC. 16. All real estate shall be appraised and set in the lists in 1881, by the listers at its true value in money, on the 1st day of April in that year, and such appraisal shall be made in connection with the annual list and completed and filed at the same time as required by law for annual lists. No equalization of such appraisal by any equalizing board shall be required, and it shall be substituted for the last quadrennial appraisal and continue in force, in lieu thereof, until the next quadrennial appraisal is made.

SEC. 17. In making the next and all succeeding quadrennial appraisals listers shall conform strictly to the requirements of section one of this act.

SEC. 18. The Secretary of State shall cause to be printed upon the back of the blank inventories this act and such other portions of the law relating to the making up of the grand list as he may select. The provisions of this act shall in no way be construed to apply to the deposits of savings banks, savings institutions and trust companies otherwise taxed.

SEC. 19. All acts and parts of acts inconsistent with this act are hereby repealed.

And the same was disagreed to—yeas, 8; nays, 18.

Mr. Bridgman having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Paul,	Weed,
Fuller,	Peck,	Woodhouse—8.
Gleason,	Thatcher,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Dunton,	King,
Bridgman,	Dwinell,	Pember,
Brown,	Field,	Robinson,
Cook,	Gleed,	Safford,
Darling,	Henry,	Sykes,
Dillingham,	Judevine,	Woodworth—18.

So the amendment proposed by the Senator from Addison was disagreed to;

Thereupon the amendments proposed by the committee were agreed to.

Mr. Fuller moved that the Senate propose to the House to further

amend the bill by striking out of section two all of said section after the word "money," in line fifteen;

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred a proposal of amendment to the Constitution relating to the election of certain State officers,

Reported recommending that the Senate make such proposals of amendment;

And ask the House to concur therein;

Thereupon the Senate by a two-thirds vote of the members thereof in the affirmative made said proposal of amendment—yeas, 21; nays, 1.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dunton,	Lane,
Bridgman,	Field,	Peck,
Brown,	Gleason,	Robinson,
Cook,	Goodsell,	Safford,
Dana,	Henry,	Sykes,
Darling,	Judevine,	Thatcher,
Dillingham,	King,	Woodworth—21.

That Senator who voted in the negative was Mr. Woodhouse—1.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred a proposal of amendment to the Constitution requiring an additional oath of members of the General Assembly,

Reported recommending that the Senate make said proposal of amendment,

And ask the House to concur therein.

Pending the question, Will the Senate agree to the same?

On motion of Mr. Dillingham said proposal of amendment was re committed to the Committee on Constitutional Amendments.

Mr. Henry, from the Committee on Constitutional Amendments, submitted the following proposal of amendment to the Constitution of the State, relating to future amendments to the Constitution:

Resolved by the Senate, (two-thirds of the members thereof concurring,) that the following article be proposed to the House of Representatives as an amendment to the Constitution of the State of Vermont:

ARTICLE ——.

SECTION 1. At a session of the General Assembly of this State, A. D. 1884, and at the session thereof every fourth year thereafter, the Senate may, by a vote of two-thirds of its members, make proposals of amendment to the Constitution of the State, which proposals

of amendment, if concurred in by a majority of the members of the House of Representatives, shall be entered on the Journals of the two Houses, and referred to the General Assembly then next to be chosen, and be published in the principal newspapers of the State; and if a majority of the Senate and of the House of Representatives of the next following General Assembly, shall, respectively, concur in the same proposals of amendment, or any of them, it shall be the duty of the General Assembly to submit the proposals of amendment so concurred in to a direct vote of the freemen of the State; and such of said proposals of amendment as shall receive a majority of the votes of the freemen voting thereon shall become a part of the Constitution of this State.

SEC. 2. The General Assembly shall direct the manner of voting by the people upon the proposed amendments, and enact all such laws as shall be necessary to procure a free and fair vote upon each amendment proposed, and to carry into effect all the provisions of the preceding section.

SEC. 3. Sections one and two of article twenty-five of articles of amendment to the Constitution of this State are hereby abrogated.

And recommend that the Senate make such proposal of amendment to the Constitution and ask the House to concur therein;

Thereupon the same was read,

And the Senate, by two-thirds vote of the members thereof, made such proposal of amendment—yeas, 22; nays, 2.

Mr. Dillingham having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Field,	Lane,
Bridgman,	Gleason,	Paul,
Brown,	Gleed,	Peck,
Cook,	Goodsell,	Safford,
Darling,	Henry,	Sykes,
Dillingham,	Judevine,	Thatcher,
Dunton,	King,	Woodworth—22.
Dwinell,		

Those Senators who voted in the negative are Messrs.

Robinson, Woodhouse—2.

Mr. Pember, from the Committee of Conference, submitted the following report:

The Committee of Conference on the disagreeing votes of the two Houses on House bill entitled

H. 104. An act relating to State Printing and Stationery,

Respectfully report that they have considered the same, and recommend that the Senate modify their fourth proposal of amendment so that section two shall read as follows, and that when so modified the House agree to the same:

Sec. 2. The size of each printed page in the documents mentioned in each of the foregoing divisions, except the sixth and seventh, shall

be seven and one-fourth inches in length and four inches in width. The type used in the journals and laws shall be long primer, set solid. The type used for the reading matter of the State officers' reports, the registration report and report of the State superintendent of education shall be set in long primer, solid; but sub-reports and extracts from authors occurring in the body of a report and generally, all tabular work and statistics in any of the journals, reports and other documents provided for in this act, shall be set in minion, solid, and with leaders wherever necessary; and all printing provided for in this act shall be set in as compact form as the page will admit and without unnecessary blank space;

And that when so changed the House agree to the amendment proposed by the Senate.

E. R. PEMBER,
H. R. START,
ORA PAUL,
} Managers on the part of the Senate.

S. H. STONE,
E. A. HOWE,
J. B. PAGE,
} Managers on the part of the House.

Which was read and adopted on the part of the Senate.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence;

Thereupon the bills were severally read the third time and passed in concurrence:

H. 77. An act for the disposition of the grammar school funds in the town of Brighton;

H. 181. An act to amend an act to incorporate the Evergreen Cemetery Association;

H. 151. An act to amend the act incorporating the village of Winooski.

House bills of the following titles were severally reported from the various committees to which they were referred:

Thereupon the bills were *ordered* to be read the third time tomorrow morning.

H. 450. An act relating to manufacturing companies formed under chapter one hundred and seven of the General Statutes;

H. 461. An act relating to continuance of cases to the general term of the supreme court;

H. 402. An act directing the State Treasurer to deliver funds in his hands to the treasurer of the Green Mount Cemetery Association at Burlington;

H 235. An act in addition to chapter eighty-eight of the General Statutes relating to magnetic telegraph companies.

Mr. Bridgman, from the Committee on the Judiciary, to which was referred a bill entitled

S. 48. An act to commute the sentence of Royal S. Carr,

Reported adversely to its passage;
Thereupon the third reading of the bill was refused.

On motion of Mr. Peck a House bill entitled

H. 176. An act to change the name of Katie A. Barnard and William W. Barnard,

Was taken up,
And the third reading of the bill was refused.

Mr. Gleason, from the Committee on the Judiciary, submitted a bill entitled

S. 216. An act to amend An act approved November 1, 1878, providing for the hearing of applications for pardon,

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

On motion of Mr. Safford a bill entitled

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte,

Was taken up.

Mr. Safford moved that the bill be committed to a Senator to amend as follows:

First, By prefixing to section nine the words,
When the said bridge is completed to the satisfaction of the judges of the county court for Franklin county;

Second, By striking out all after the words "October, 1882," in line ten of section nine, and inserting in lieu thereof the words,
The appropriation herein made shall lapse;

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed—yeas, 16; nays, 5.

Mr. Blodgett having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Henry,	Robinson,
Darling,	Judevine,	Safford,
Dillingham,	King,	Sykes,
Fuller,	Peck,	Thatcher,
Gleed,	Pember,	Woodworth—16.
Goodsell,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Dunton,	Lane—5,
Brown,	Dwinell,	

So the bill was passed.

Mr. Dunton, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 460. An act relating to the duties of the auditor of accounts,

Reported recommending that the Senate propose to the House to amend the bill by adding to section one the following;

And shall draw orders for all accounts so allowed by him notwithstanding any provisions to the contrary in any of the laws passed by the General Assembly at its present session;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Paul, from the Joint Committee on the Reform School, to which was referred a bill entitled

S. 46. An act to amend sections ten and eleven of number ten of the public acts of 1866,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Woodworth, from the General Committee, to which was referred a House bill entitled

H. 284. An act to change the names of Josie A. Rich and George David Rich,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Field, from the Committee on Claims, to which was referred a bill entitled

S. 157. An act to pay Alvaro Adsit the sum therein named,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Lane, from the General Committee, to which was referred a bill entitled

S. 104. An act for the removal of obstructions in certain portions of Lamoille River,

Reported recommending the adoption of the accompanying substitute bill:

Thereupon a bill entitled

S. 217. An act to remove obstructions from the Lamoille River in Hardwick, Wolcott and Morristown,

Was read the first and second times, and under the rule *ordered* to lie over twenty-four hours.

A House bill entitled

H. 449. An act to provide for the publication of the Revised Laws of Vermont, 1880,

Was read the first and second times and referred to the Committee on the Judiciary.

Mr. Field moved that the Senate accede to the request of the House asking for a Committee of Conference on the disagreeing vote of the two Houses on a House bill entitled

H. 114. An act to pay the Rutland County National Bank the sum therein named,

And the President announced as such committee,

Senator Field of Windsor,
" Dwinell of Washington,
" Dunton of Rutland.

On motion of Mr. Woodworth the Senate took a recess until seven o'clock and thirty minutes, in the evening.

EVENING.

A House bill entitled

H. 374. An act providing for the appointment of receivers of consolidated lines of railroads running from adjoining States into this State,

Was read the first and second times, and referred to the Committee on Railroads.

Mr. Paul, from the Committee on Agriculture, submitted a bill entitled

S. 218. An act to prevent the adulteration of fertilizers, and the sale of adulterated fertilizers,

Which was read the first and second times and, under the rule *ordered* to lie over twenty-four hours and be printed.

A bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Was taken up,

Having been returned from the House with the following proposals of amendment:

First, By striking out section sixteen and inserting in lieu thereof a new section as follows:

Sec. 16. *A sum not exceeding five thousand dollars is hereby appropriated to be used by the trustees of the Reform School, with the approval of the Governor, for the purpose of providing extra sleeping room, a hospital, a reading-room with suitable books and papers therein, and such other accommodations as in their judgment may meet the wants of the school. Every boy confined in the school who conforms to the regulations of the school shall be permitted to spend not less than two hours out of every twenty-four in said reading-room;*

Second, By striking out section seventeen and inserting in lieu thereof a new section:

Sec. 17. *When a child is committed to the Reform School on conviction of a criminal offence, the town in which such child last resided, prior to such commitment, shall pay to the trustees of the*

Reform School, toward his maintenance at such school, or in any family where such child may be placed by the authorities of the school, one dollar per week so long as such child remains under the age of fourteen years, and fifty cents per week thereafter during the term of such commitment;

Third, By inserting a new section, to be called section twenty, as follows:

Sec. 20. An act entitled, An act appropriating money to enlarge and improve the Reform School building, approved November 26, 1878, and all other acts inconsistent with this act are hereby repealed;

Which the Senate refused to concur in.

Mr. Pember, from the Committee on Agriculture, to which was referred a bill entitled

S. 190. An act to repeal sections one, two and three of an act establishing a State Superintendent of Agricultural Affairs, approved November 26, 1878,

Reported the same back to the Senate without an expression of opinion;

Thereupon, on motion of Mr. Dwinell, the bill was *ordered* to lie.

Mr. Henry, from the Committee on Constitutional Amendments, to which was re-committed a proposal of amendment to the Constitution, requiring an additional oath of members of the General Assembly,

Reported recommending that said amendment be amended as follows:

First, By inserting after the word "oath," in line eight, section one, the words, *in addition to the oath now prescribed;*

Second, By striking out the word "or," in line five, section two, and inserting in lieu thereof the word *and;*

And that when so amended the Senate propose the same to the House of Representatives;

Which was agreed to;

Thereupon the Senate by a two thirds vote of the members thereof in the affirmative made such proposal of amendment—yeas, 27; nays, 0.

Mr. Dillingham having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Field,	Paul,
Bridgman,	Gleason,	Peck,
Brown,	Gleed,	Pember,
Cook,	Goodsell,	Robinson,
Dana,	Henry,	Safford,
Darling,	Judevine,	Start,
Dillingham,	King,	Sykes,
Dunton,	Lane,	Thatcher,
Dwinell,	North,	Woodworth—27.

Those Senators who voted in the negative—none.

Senator Dana in the chair.

On motion of Mr. Safford a bill entitled

S. 163. An act in relation to taxation of railroad property,

Was taken up.

The question being, Will the Senate agree to the proposals of amendment offered by the Senator from Franklin?

The same were agreed to,

And the bill *ordered* to be read the third time.

Mr. Safford moved that the rule be suspended and the bill be read the third time at the present time;

Which was agreed to;

Thereupon the bill was read the third time and passed.

On motion of Mr. Henry a House bill entitled

H. 373. An act to establish an infantry company at Newport, Orleans County,

Was taken up.

The question being, Will the Senate reconsider its vote refusing the bill a third reading?

The motion to reconsider was agreed to;

Thereupon Mr. Henry moved that the Senate propose to the House to amend the bill as follows:

First, By striking out the words "sixty-four," in line five, section one, and inserting in lieu thereof the words, *fifty-one;*

Second, By adding to section two the following:

But no member of said company shall be allowed to commute his uniform or receive any sum of money from the State in lieu of such uniform;

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning—yeas, 18; nays, 7.

Mr. Bridgman, having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Henry,	Peck,
Brown,	Judevine,	Safford,
Dana,	King,	Start,
Darling,	Lane,	Sykes,
Fuller,	North,	Thatcher,
Goodsell,	Paul,	Woodhouse—18.

Those Senators who voted in the negative are Messrs.

Bridgman,	Field,	Pember,
Dunton,	Gleed,	Robinson—7.
Dwinell,		

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 93. An act to abate and suppress nuisances,
S. 178. An act to incorporate the Ely Copper Company;
S. 184. An act to incorporate the Pike Hill Copper Company.

L. K. FULLER,
For Committee.

Mr. Lane, from the General Committee, to which was referred a bill entitled

S. 127. An act to incorporate the Maquam Bay Pottery Company,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

On motion of Mr. Dunton a bill entitled

S. 186. An act in relation to the filling of vacancies in the offices of chief judge and assistant judges of the supreme court,

Was taken up;

Thereupon the pending proposals of amendment offered by the Committee on the Judiciary,

Were agreed to.

Mr. Fuller moved that the bill lie,

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to-morrow morning:

Yeas, 14; nays, 10.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Pember,
Bridgman,	Field,	Robinson,
Dana,	Fuller,	Safford,
Darling,	Judevine,	Sykes—14.
Dunton,	Paul,	

Those Senators who voted in the negative are Messrs.

Brown,	Lane,	Thatcher,
Gleason,	North,	Woodhouse,
Goodsell,	Start,	Woodworth—10.
Henry,		

Mr. Fuller, from the Committee on Railroads, to which was referred a bill entitled

S. 150. An act to incorporate the Brattleboro and Vernon Railroad Company;

Reported recommending the passage of a substitute bill entitled

S. 219. An act to incorporate the Brattleboro and Vernon Railroad Company;

Which was read the first time.

The question being, Shall the bill be read the second time?

Mr. Safford moved that a special committee of three Senators be appointed by the President of the Senate to inquire and report whether the Vermont and Massachusetts Railroad Company have complied with the requirements of section one, chapter three, of the General Statutes in the matter of the extension of their railroad.

The Chair ruled that the motion of the Senator from Franklin was not in order, it being an independent proposition, and not in terms referring to the bill under consideration, could not be entertained while the question was pending upon the second reading of the bill.

Mr. Safford appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the judgment of the Senate?

On motion of Mr. Field the Senate adjourned at ten o'clock and fifteen minutes.

WEDNESDAY, DECEMBER 22D, 1880.

Reading of Scriptures and prayer by the Chaplain.

The Special Joint Committee, to which was referred that portion of the Governor's message relating to re districting the State into Congressional districts,

Reported that they had considered the same, and recommended the passage of the accompanying bill entitled

S. 220. An act to divide the State into Congressional districts;

Which was read the first and second times and, under the rule, *ordered* to lie over twenty four hours and be printed.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred an amendment to the Constitution relating to the charters of corporations,

Reported the same back to the Senate without an expression of opinion;

Thereupon the Senate made said proposal of amendment by a two-thirds vote of the members thereof in the affirmative—yeas, 26; nays, 0.

Mr. Blodgett having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleason,	Pember,
Bridgman,	Gleed,	Robinson,
Brown,	Henry,	Safford,
Darling,	Judevine,	Start,
Dillingham,	King,	Sykes,
Dunton,	Lane,	Thatcher,
Dwinell,	North,	Weed,
Field,	Paul,	Woodworth—26.
Fuller,	Peck,	

Those members who voted in the negative—none.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 142. An act relating to the election of assessors in the city of Burlington;

H. 419. An act to incorporate the Barre Savings Bank;

H. 393. An act to complete Miss Hemingway's Gazetteer of Vermont History, and thus complete the history of all the towns for one hundred years;

H. 454. An act to incorporate the Newport Savings Bank;

H. 464. An act to provide for the participation of this State in the centennial celebration of the surrender of Cornwallis at Yorktown;

H. 465. An act to amend an act incorporating the Grand Isle Steamboat Company, approved November 10, 1869;

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 240. An act to change the name of Maud R. Lamphier, and constitute her heir-at-law of Julius D. Bingham and Mary J. Bingham;

H. 241. An act to change the name of Robert S. Royce to Robert S. Brewer;

H. 156. An act giving women the right to vote and hold office in school districts;

H. 313. An act to preserve the collection of the Vermont Historical Society;

H. 279. An act to incorporate the Vermont College of Teachers.

The House have substituted the name of Mr. Butterfield of Whitingham as chairman of the House Conference Committee on House bill entitled

H. 114. An act to pay the Rutland County National Bank the sum therein named.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that Dec. 21 he approved and signed bills originating in the Senate of the following titles, viz.:

S. 184. An act to incorporate the Pike Hill Copper Company;

S. 196. An act extending the time for the completion of the Montpelier and White River Railroad, and for other purposes;

S. 178. An act to incorporate the Ely Copper Company;

S. 93. An act to abate and suppress nuisances.

A proposal of amendment to the Constitution of the State chang-

ing the time of elections and meetings of the General Assembly from biennially to annually,

Was taken up;

Thereupon the Senate refused to make said proposal of amendment by the requisite two-thirds vote of its members in the affirmative.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred proposal of amendment to Article XII of the Constitution, relating to trials by jury,

Reported adversely to its adoption;

Thereupon the Senate refused to make said proposal of amendment by the requisite two thirds vote of its members in the affirmative.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred proposal of amendment to the Constitution of the State of Vermont, relating to the supreme court,

Reported recommending that the Senate make said proposal of amendment to the Constitution and ask the House to concur therein;

Thereupon the Senate refused to make said proposal of amendment by the requisite two-thirds vote of its members in the affirmative—yeas, 10; nays, 17.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Henry,	Robinson,
Darling,	King,	Safford,
Dillingham,	Pember,	Start—10.
Gleed,		

These Senators who voted in the negative are Messrs.

Bridgman,	Gleason,	Sykes,
Brown,	Judevine,	Thatcher,
Dana,	Lane,	Weed,
Dwinell,	North,	Woodhouse,
Field,	Paul,	Woodworth—17.
Fuller,	Peck,	

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred

Proposal of amendment to the Constitution relating to reprieves, commutations and pardons,

Reported the same back to the Senate without an expression of opinion;

Thereupon the Senate made said proposal of amendment to the Constitution by the requisite two-thirds vote of the members thereof in the affirmative.

A count having been called for, it was taken, with the following result—yeas, 21; nays, 1.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred the following proposals of amendment to the Constitution:

Proposal of amendment to the Constitution respecting such amendments as require the election of assistant judges of the county court,

Proposal of amendment to the Constitution relating to the grand jury,

Proposal of amendment to the Constitution relating to the eligibility of members of the Legislature to election by the Legislature,

Reported adversely to their adoption;

Thereupon the Senate refused by the requisite two-thirds vote of its members in the affirmative to make said proposals of amendment to the Constitution.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred

Proposal of amendment to the Constitution relating to the power of the Governor to veto appropriation bills,

Reported recommending that the Senate make said proposal of amendment to the Constitution,

And ask the House to concur therein.

Thereupon the Senate refused to make said proposal of amendment by the requisite two-thirds vote of the members thereof in the affirmative.

Mr. Dunton, from the Committee on Constitutional Amendments, submitted the following:

Proposal of amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors:

Resolved by the Senate, (two-thirds of the members thereof concurring,) That the following article be proposed to the House of Representatives as an amendment to the Constitution of the State, viz.:

ARTICLE ———.

The manufacture and sale of intoxicating liquors, other than cider and wine, made from the fruits of this State, shall be and are hereby forever prohibited, except for medicinal, chemical and mechanical purposes; and the sale of cider and wine made as aforesaid, shall be so regulated and restrained as to prevent drunkenness, pauperism and crime.

It is hereby enjoined upon the General Assembly to make the foregoing provisions effective by requisite legislative action;

Which was read;

Thereupon the Senate made said proposal of amendment to the Constitution by the requisite two thirds vote of the members thereof in the affirmative.

A count having been called for, it was taken, with the following result:

Yeas, 21; nays, 1.

A joint resolution relating to final adjournment was taken up.

The question being, Will the Senate agree to the amendment offered by the Senator from Windsor?

Mr. Bridgman moved that the resolution be *ordered* to lie:

Which was disagreed to—yeas, 12; nays, 17.

Mr. North having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Darling,	King,
Bridgman,	Dunton,	Pember,
Brown,	Dwinell,	Robinson,
Cook,	Gleed,	Weed—12.

Those Senators who voted in the negative are Messrs.

Dana,	Judevine,	Start,
Dillingham,	Lane,	Sykes,
Field,	North,	Thatcher,
Fuller,	Paul,	Woodhouse,
Gleason,	Peck,	Woodworth—17.
Henry,	Safford,	

So the motion to lie was disagreed to.

The question recurring on the proposal of amendment offered by the Senator from Windsor,

The same was agreed to—yeas, 20; nays, 9.

Mr. Field having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Henry,	Safford,
Dana,	Judevine,	Start,
Darling,	Lane,	Sykes,
Dillingham,	North,	Thatcher,
Field,	Paul,	Woodhouse,
Fuller,	Peck,	Woodworth—20.
Gleason,	Robinson,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Dunton,	King,
Brown,	Dwinell,	Pember,
Cook,	Gleed,	Weed—9.

So the amendment was agreed to;

Thereupon the resolution was adopted on the part of the Senate with said proposal of amendment.

A House bill entitled

H. 444. An act to equalize taxation,

Was read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 142. An act relating to the election of assessors in the city of Burlington;

H. 465. An act to amend an act incorporating the Grand Isle Steamboat Company, approved November 10, 1869;

To the General Committee.

H. 454. An act incorporating the Newport Savings Bank;

H. 419. An act to incorporate the Barre Savings Bank;

To the Committee on Banks.

H. 464. An act to provide for the participation of this State in the centennial celebration of the surrender of Cornwallis at Yorktown;

To the Committee on Finance.

H. 393. An act to complete Miss Hemenway's Gazetteer of Vermont History, and thus complete the history of all the towns for one hundred years:

To the Joint Committee on Library.

A House bill entitled

H. 352. An act in relation to telegraph companies,

Was read the third time and passed in concurrence with proposals of amendment.

Mr. Woodhouse offered the following resolution:

Resolved, That no Senator shall speak longer than five minutes at any one time during the remainder of the session without the unanimous consent of the Senators present;

Which was read and, under the rule, *ordered* to lie for twenty-four hours.

Mr. Henry, from the Committee on Constitutional Amendments, to which was referred

Proposal of amendment to the Constitution limiting the right of towns to incur debt,

Reported recommending that the same be amended by striking out section one and inserting in lieu thereof the following:

Section 1. *No town or city in this State shall incur a debt or increase its existing debt so that the whole indebtedness of such town or city shall exceed the amount of five times its grand list: And no town or city now indebted in a sum greater than the amount of five times its grand list, shall increase such indebtedness, and when such indebtedness shall have been reduced to a sum less than the amount of five times the grand list of such town or city the indebtedness of such town or city shall not thereafter be increased beyond the said amount of five times its grand list; but this article shall not be so construed as to prevent a renewal of the matured bonds of such towns or cities at par, nor the issue of new bonds in exchange for other bonds: Provided, the debt of such town or city is not thereby increased;*

Which was agreed to;

Thereupon the Senate refused to make such proposal of amendment by the requisite two-thirds vote of the members thereof in the affirmative—yeas, 13; nays, 11.

Mr. Diwnell having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Judevine,
Bridgman,	Fuller,	King,
Darling,	Gleed,	Pember,
Dillingham,	Henry,	Safford—13.
Dunton,		

Those Senators who voted in the negative are Messrs.

Gleason,	Paul,	Sykes,
Goodsell,	Peck,	Woodhouse,
Lane,	Robinson,	Woodworth—11.
North,	Start,	

A bill entitled

S. 153. An act to incorporate the New England Fire Insurance Company,

Was taken up, read the third time and passed.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 99. An act to repeal an act entitled, An act in addition to and in amendment of an act changing the namé of and relating to the Northfield Cemetery Association, approved November 14, 1869, approved November 28, 1876;

S. 113. An act in amendment of and in addition to section one of number thirty-four entitled, An act relating to railroad bridges approved November 26, 1872.

LEVI K. FULLER,

For Committee on Bills.

On motion of Mr. Henry the Senate adjourned at twelve o'clock and forty-five minutes.

AFTERNOON.

A bill entitled

S. 219. An act to incorporate the Brattleboro and Vernon Railroad Company,

Was taken up as unfinshed business.

Mr. Safford asked, and was granted, leave to withdraw the pending motion made by him December 21.

The question being, Shall the bill be read the second time?

Mr. Safford moved that the bill be re-committed to the Committee on Railroads,

To inquire and report immediately whether the Vermont & Massachusetts Railroad Company have complied with the requirements of section one, chapter three, of the General Statutes, with reference to the extension of their railroad provided for in Senate bill 219;

Which was disagreed to—yeas, 13; nays, 16.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Henry,	Robinson,
Darling,	Judevine,	Safford,
Dunton,	King,	Start,
Dwinell,	Lane,	Sykes—13.
Field,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Gleed,	Pember,
Brown,	Goodsell,	Thatcher,
Dana,	North,	Weed,
Dillingham,	Paul,	Woodhouse,
Fuller,	Peck,	Woodworth—16.
Gleason,		

So the motion to recommit was disagreed to.

Mr. Safford raised a point of order:

That further consideration of the bill was not in order for the reason that section one of chapter three of the General Statutes had not been complied with.

The President decided the point of order raised by the Senator from Franklin as well taken.

An appeal was taken from the decision of the President.

The question being, Shall the decision of the Chair stand as the judgment of the Senate?

It was decided in the affirmative—yeas, 20; nays 7.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleed,	Peck,
Bridgman,	Goodsell,	Robinson,
Brown,	Henry,	Safford,
Cook,	Judevine,	Start,
Darling,	King,	Sykes,
Dwinell,	Lane,	Woodhouse—20.
Field,	Paul,	

Those Senators who voted in the negative are Messrs.

Dana,	North,	Weed,
Dillingham,	Thatcher,	Woodworth—7.
Fuller,		

So the decision of the Chair was sustained.

Mr. Dana moved that a bill entitled

S. 150. An act to incorporate the Brattleboro and Vernon Railroad Company,

For which S. 219 was a substitute, be re-committed to the Committee on Railroads;

Which was agreed to.

Mr. Bridgman, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 459. An act to amend section two of chapter fifteen of the General Statutes,

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time to-morrow morning.

Mr. Lane, from the General Committee, to which was referred a bill entitled

S. 183. An act to incorporate the Masonic Relief Association of Vermont,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed.

Mr. Dwinell, from the Committee on the Grand List, to which was referred House bill entitled

H. 286. An act relating to offsets in the taxation of personal property,

Reported the same back to the Senate without an expression of opinion.

Mr. Pember moved that the Senate propose to the House to amend the bill by striking out of lines two, three and four of section one the words "exceeding the sum of one thousand dollars;"

Pending the adoption of which,

Mr. Start moved to amend the amendment by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. *There shall be deducted from the appraised value of every person's real and personal estate all debts owing by such person at the time of the appraisal of such estate;*

Thereupon Mr. Dunton moved that the bill, with pending amendments be *ordered* to lie;

Which was disagreed to.

The question being, Will the Senate agree to the amendment offered by the Senator from Franklin to the amendment offered by the Senator from Rutland?

It was determined in the negative—yeas, 12; nays, 16.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Gleason,	Peck,
Dillingham,	Goodsell,	Robinson,
Field,	Lane,	Start,
Fuller,	Paul,	Woodworth—12.

Those Senators who voted in the negative are Messrs.

Blodgett,	Henry,	Safford,
Brown,	Judevine,	Sykes,
Cook,	King,	Thatcher,
Darling,	North,	Weed,
Dunton,	Peck,	Woodhouse—16.
Dwinell,		

So the amendment to the amendment was disagreed to.

The question being, Will the Senate agree to the amendment proposed by the Senator from Rutland?

It was determined in the negative—yeas, 5; nays, 20.

Mr. Pember having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dunton,	Pember,	Safford—5.
King,	Robinson,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Start,
Brown,	Gleason,	Sykes,
Cook,	Henry,	Thatcher,
Darling,	Judevine,	Weed,
Dillingham,	Lane,	Woodhouse,
Dwinell,	North,	Woodworth—21.
Field,	Peck,	

So the proposed amendment was disagreed to;

Thereupon the third reading of the bill was refused.

On motion of Mr. Dunton a bill entitled

S. 119. An act to repeal sections one, two and six of number fifty-six of the acts of 1876, entitled, An act for the further protection of fish and game,

Was taken up;

Thereupon Mr. Dunton moved that the bill be amended by adding thereto a new section, as follows:

Sec. 2. *Any person who shall tread down grass growing in any meadow or grain growing in any field adjacent to a stream of water from the* 1*st day of June in each year until such grass or grain is cut shall forfeit to the party injured the sum of ten dollars, which with costs may be recovered by an action of trespass;*

Which was disagreed to;

Whereupon the third reading of the bill was refused—yeas, 10; nays, 12.

Mr. Dunton having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dunton,	North,
Cook,	Goodsell,	Peck,
Darling,	King,	Safford—10.
Dillingham,		

Those Senators who voted in the negative are Messrs.

Brown,	Henry,	Sykes,
Dana,	Paul,	Thatcher,
Dwinell,	Pember,	Weed,
Field,	Robinson,	Woodworth—12.

So the third reading was refused.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bills of the following titles:

H. 70. An act authorizing towns, ecclesiastical societies and cemetery associations to receive donations for the care of cemeteries and burial lots;

H. 373. An act to establish an infantry company at Newport, Orleans County;

H. 444. An act to equalize taxation;

And have concurred therein.

The House have considered Senate bills of the following titles:

S. 182. An act in amendment of section fifty-two of chapter one hundred and fourteen of the General Statutes;

S. 8. An act to construe section three of an act to assess and tax railroads, approved November 28, 1876, and to relieve towns misled thereby;

S. 194. An act to equalize taxation;

And have refused the same a third reading.

The House have considered Senate bill entitled

S. 97. An act to amend an act to incorporate the St. Albans Manufacturing Company, approved November 9, 1865;

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 113. An act in amendment of and in addition to section one of number thirty-four, entitled, An act relating to railroad bridges, approved November 26, 1872;

And have passed the same in concurrence.

The House have passed bills of the following titles:

H. 147. An act regarding the construction of railroads;

H. 364. An act to pay George F. O. Kimball the sum therein named;

H. 457. An act fixing the salaries of certain State officers;

In the passage of which the concurrence of the Senate is requested.

Mr. Safford, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 449. An act to provide for the publication of the Revised Laws of Vermont, 1880,

Reported recommending that the Senate propose to the House to amend the bill as follows:

First, By inserting after the word "laws," in line four, section four, the words, *and if existing contracts do not include the printing of the same;*

Also by inserting after the word "Secretary," same line and section, the words, *with the consent of the Governor;*

Second, By striking out the word "shall," in the seventeenth line of section four, and inserting in lieu thereof the word *may;*

Third, By inserting after the word "Governor," in line eighteen, section four, the words *reject all proposals or;*

Fourth, By adding to section five the following:

And two thousand copies of the chapter on the traffic in intoxicating liquor, in pamphlet form to be deposited with said Secretary to be distributed by him for the use of the people of the State;

Which was agreed to.

Mr. Henry moved that the Senate propose to the House to further amend the bill by striking out the words "L. H. Thompson of Irasburgh;"

Pending the adoption of which,

Mr. Dana moved to amend the amendment offered by the Senator from Windsor by striking out the first part of section one and substituting in lieu thereof the words, *The Governor shall appoint two persons;*

Which was disagreed to;

Thereupon the amendment proposed by the Senator from Windsor was agreed to.

Mr. Dunton moved that the Senate propose to the House to further amend the bill by inserting after the word "Governor," in the last sentence of section eight, the words, *Homer E. Royce of St. Albans;*

Which was disagreed to—yeas, 9; nays, 13.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dunton,	Henry,
Bridgman,	Dwinell,	King,
Darling,	Field,	Sykes—9.

Those Senators who voted in the negative are Messrs.

Brown,	North,	Start,
Dana,	Paul,	Thatcher,
Dillingham,	Peck,	Weed,
Gleason,	Safford,	Woodworth—13.
Lane,		

So the amendment was disagreed to;
Thereupon the bill was *ordered* to be read the third time to-morrow morning.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 405. An act relating to the investment of deposits in savings banks and to the custody of treasurers' bonds;

H. 410. An act equalizing the costs of commitment taxed against respondents committed to the House of Correction;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 99. An act to repeal an act entitled, An act in addition to and in amendment of an act changing the name of and relating to the Northfield Cemetery Association, approved November 14, 1869, approved November 28, 1876;

And have passed the same in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 147. An act regarding the construction of railroads;
To the Committee on Railroads.

H. 364. An act to pay G. F. O. Kimball the sum therein named;
To the Committee on Claims.

H. 457. An act fixing the salaries of certain State officers;
To the Committee on Finance.

H. 405. An act relating to the investing of deposits in savings banks and to the custody of treasurers' bonds;
To the Committee on Banks.

H. 410. An act equalizing the costs of commitment taxed against respondents committed to the House of Correction;
To the Committee on the Judiciary.

On motion of Mr. Bridgman the Senate took a recess until seven o'clock and thirty minutes.

EVENING.

A bill entitled
S. 115. An act reducing to the fees of county clerks,
Was taken up,
The question being, Will the Senate agree to the first pending

proposal of amendment offered by the Committee on Court Expenses?

The same was agreed to.

Mr. Gleed moved to amend the second pending proposal of amendment by striking out therefrom the words, *and money paid to the clerk to redeem premises from foreclosure;*

Which was agreed to;

Thereupon the said amendment, as amended, was agreed to.

Mr. Darling moved to strike out of section one, as amended, "But the costs to be taxed against respondents shall not be affected thereby," and insert in lieu thereof the words, *and the costs to be taxed against respondents shall be reduced accordingly;*

Which was disagreed to;

Thereupon the bill was *ordered* to be read the third time to morrow morning.

A bill entitled

S. 210. An act in relation to highway surveyors in towns of over six thousand inhabitants,

Was read the third time and passed.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to a joint resolution relating to final adjournment,

And have concurred therein.

A bill entitled

S. 214. An act relating to vacancies in the office of assistant judge of the county court,

Was read the third time.

Mr. Safford moved that the bill be committed to a Senator to amend by striking out in lines three, four and five of section one the words, "or otherwise incapacitated to exercise the duties of his office;"

Which was agreed to;

Thereupon the bill was committed to the Senator from Franklin to amend,

Who reported the same back amended agreeably to the instructions of the Senate;

Whereupon the bill was passed.

On motion of Mr. Gleed a bill entitled

S. 155. An act relating to the support of paupers,

Was taken up.

Mr. Dillingham moved to amend the bill by striking out in section one the words, "or purchase upon an inadequate consideration;"

Which was agreed to;

Mr. Safford moved to further amend the bill by striking out after the word "ability," in line four, section one, the words, "arising from property derived from an ancestor of such poor person by gift or inheritance;

Which was disagreed to;

Thereupon the third reading of the bill was refused—yeas, 10; nays, 14.

Mr. Bridgman having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Henry,	Pember,
Brown,	Judevine,	Robinson,
Darling,	Paul,	Safford—10.
Gleed,		

Those Senators who voted in the negative are Messrs.

Bridgman,	Gleason,	Start,
Dillingham,	Goodsell,	Sykes,
Dwinell,	King,	Thatcher,
Field,	Lane,	Woodworth—14.
Fuller,	Peck,	

So the third reading of the bill was refused.

A bill entitled

S. 218. An act to prevent the adulteration of fertilizers, and the sale of adulterated fertilizers,

Was taken up;

Thereupon the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House insist on their proposal of amendment to Senate bill entitled

S. 26. An act in relation to the collection of taxes,

And request a Committee of Conference.

The House have, on their part, appointed as such committee on the disagreeing votes of the two Houses,

Mr. Smith of St. Johnsbury,
" Priest of Barre,
" Briggs of Brandon.

The House have considered Senate proposals of amendment to House bill entitled

H. 311. An act in amendment of an act entitled, An act to amend section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents, approved November 18, 1878;

And have concurred therein.

The House have considered Senate proposals of amendment to House bill entitled

H. 412. An act to amend section five of the act of incorporation of the village of St. Johnsbury;

And have concurred therein.

The House have considered Senate bills of the following titles:

S. 142. An act in relation to remedies supplementary to executions;

S. 204. An act providing for the attachment and levy of execution on mortgaged real estate in certain cases;

S. 199. An act in relation to fines and costs in certain cases;

S. 195. An act to improve the breeding of horses;

And have refused the same a third reading.

The House have passed a bill entitled

H. 442. An act to repeal an act entitled, An act to pay Peter Lander, Jr., the sum therein named, approved Nov. 26, 1878;

In the passage of which the concurrence of the Senate is requested.

Mr. Safford moved that the Senate accede to the request of the House for a Committee of Conference on the disagreeing vote of the two Houses on a bill entitled

S. 26. An act in relation to the collection of taxes;

Which was agreed to;

And the President appointed as such committee on the part of the Senate,

Senator Dwinell of Washington,
" Safford of Franklin,
" Goodsell of Grand Isle.

A bill entitled

S. 216. An act to amend an act providing for the hearing of applications for pardon,

Was taken up and the third reading *ordered* to morrow morning.

A bill entitled

S. 217. An act to remove obstructions from the Lamoille River in Hardwick, Wolcott and Morristown,

Was taken up, the third reading *ordered*, read the third time and passed.

On motion of Mr. Peck a bill entitled

S. 73. An act to exempt property from taxation,

Was taken up.

The question being, Will the Senate agree to the pending amendment offered by the Senator from Windham?

The same was disagreed to;

Thereupon the third reading of the bill was *ordered* for to-morrow morning—yeas, 12; nays, 11.

Mr. Blodgett having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Fuller,	Peck,
Brown,	Gleed,	Start,
Dana,	Henry,	Sykes,
Field,	Judevine,	Woodworth—12.

Those Senators who voted in the negative are Messrs.

Blodgett,	King,	Safford,
Darling,	Paul,	Thatcher,
Dunton,	Pember,	Woodhouse—11.
Dwinell,	Robinson,	

So the third reading of the bill was *ordered.*

Mr. Safford, from the Committee on Insane Asylum, submitted a bill entitled

S. 221. An act authorizing the erection of a State insane asylum for the insane;

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

A bill entitled

S. 186. An act in relation to the filling of vacancies in the offices of chief judge and assistant judges of the supreme court,

Was read the third time;

Thereupon the passage of the bill was refused—yeas, 11; nays, 14.

Mr. Henry having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dunton,	Pember,
Bridgman,	Field,	Robinson,
Brown,	Judevine,	Safford—11.
Darling,	Paul,	

Those Senators who voted in the negative are Messrs.

Dana,	King,	Thatcher,
Dillingham,	Lane,	Weed,
Fuller,	Peck,	Woodhouse,
Gleason,	Start,	Woodworth—14.
Henry,	Sykes,	

So the passage of the bill was refused.

A House bill entitled

H. 460. An act relating to the duties of the auditor of accounts,

Was read the third time and passed in concurrence with proposals of amendment.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 235. An act in addition to chapter eighty-eight of the General Statutes, relating to magnetic telegraph companies;

H. 261. An act relating to the continuance of cases to the general term of the supreme court;

H. 450. An act relating to manufacturing companies formed under chapter one hundred and seven of the General Statutes;

H. 402. An act directing the State Treasurer to deliver funds in his hands to the treasurer of the Green Mount Cemetery Association at Burlington;

H. 459. An act to amend section two of chapter fifteen of the General Statutes.

A bill entitled

S. 37. An act to amend an act to incorporate the St. Albans Manufacturing Company, approved November 9, 1865,

Having been returned from the House with the following proposal of amendment:

By adding to section one the following:

Providing that the owners of three-fourths of the capital stock of said company shall vote to accept the conditions of this act;

The same was concurred in.

A House bill entitled

H. 442. An act to repeal an act entitled, An act to pay Peter Lander, Jr., the sum therein named, approved November 26, 1878,

Was read the first and second times and referred to the Committee on Claims.

Bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage;

Thereupon the bills were *ordered* to be read the third time tomorrow morning:

By Mr. Start, from the Committee on Education,

S. 114. An act relating to the distribution of school moneys.

By Mr. Henry, from the Committee on the Judiciary,

S. 148. An act in addition to number thirteen of the acts of 1876, entitled, An act to protect persons and property in the vicinity of water reservoirs.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage;

Thereupon the bills were severally read the third time and passed in concurrence:

By Mr. Dana, from the Committee on Railroads,

H. 463. An act compelling certain railroad companies to keep a flagman at the railroad crossing in Newport village in the town of Newport, Vermont.

By Mr. Field, from the Committee on Claims,

H. 364. An act to pay George F. O. Kimball the sum therein named.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage in concurrence;

Thereupon the bills were *ordered* to be read the third time tomorrow morning:

By Mr. Dillingham, from the Committee on Railroads,

H. 374. An act to provide for the appointment of receivers of consolidated lines of railroads running from adjoining States into this State.

By Mr. Fuller, from the Committee on Finance,

H. 464. An act to provide for the participation of this State in

the centennial celebration of the surrender of Cornwallis at Yorktown.

By Mr. Darling, from the Committee on Railroads,

H. 147. An act regarding the construction of railroads.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have reconsidered their vote adopting Senate proposals of amendment to a joint resolution on final adjournment and refuse to concur in the amendment and ask for a Committee of Conference and have appointed on their part,

Mr. Page of Rutland,
" Hooker of Brattleboro,
" Abell of West Haven.

On motion of Mr. Safford the Senate acceded to the request of the House for a Committee of Conference on the disagreeing votes of the two Houses on joint resolution relating to final adjournment,

And the President announced as such committee, on the part of the Senate,

Senator Dillingham of Washington,
" Gleed of Lamoille,
" Dana of Addison.

Mr. Pember, from the Committee on Agriculture, to which was referred a bill entitled

S. 111. An act to amend section twelve of an act entitled, An act concerning dogs and for the protection of sheep and other domestic animals, approved November 22, 1876,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Woodhouse, from the Committee on Banks, to which was referred a House bill entitled

H. 110. An act to incorporate the Marble Savings and Trust Company of Rutland,

Reported recommending that the Senate propose to the House to amend the bill as follows:

By striking out the words "and Trust Company," after the word "Savings," in the fifteenth line of section one, and inserting in lieu thereof the word *Bank;*

Which was agreed to.

Thereupon the bill was *ordered* to be read the third time;

Read the third time,

And passed in concurrence, with proposals of amendment.

The committee further reported recommending that the Senate propose to the House to amend the title of the bill by striking out

after the word "Savings," the words "and Trust Company," and inserting in lieu therof the word *Bank;*

Which was agreed to.

Mr. Dwinell, from the Committee on the Grand List, submitted a bill entitled

S. 222. An act to continue certain statutes in force,

Which was read the first and second times;

Thereupon Mr. Woodhouse moved that the Senate do now adjourn,

Which was disagreed to—yeas, 2; nays, 20.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Thatcher, Woodhouse—2.

Those Senators who voted in the negative are Messrs.

Blodgett,	Fuller,	Pember,
Brown,	Gleed,	Robinson,
Cook,	Goodsell,	Safford,
Darling,	Henry,	Start,
Dunton,	King,	Sykes,
Dwinell,	Paul,	Woodworth—20.
Field,	Peck,	

So the Senate refused to adjourn.

Mr. Dunton moved that the rules be suspended and that the bill be read the third time at the present time;

Which was agreed to—yeas, 19; nays, 5.

Mr. Woodhouse having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Fuller,	Pember,
Brown,	Gleason,	Robinson,
Cook,	Goodsell,	Safford,
Darling,	Henry,	Start,
Dunton,	King,	Sykes,
Dwinell,	Paul,	Woodworth—19.
Field,		

Those Senators who voted in the negative are Messrs.

Dana,	Lane,	Woodhouse—5.
Gleason,	Thatcher,	

So the rules were suspended;

Thereupon the bill was read the third time and passed.

Mr. Start, from the Joint Committee on the Reform School, to which was referred a bill entitled

S. 10. An act to amend an act entitled, An act to pay expenses of the Reform School, approved November 28, 1876,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 97. An act to amend an act to incorporate the St. Albans Manufacturing Company, approved November 9, 1865;

S. 213. An act to incorporate the Freewill Baptist Society of the town of Sutton;

S. 215. An act granting the privilege of labor to Edwin C. Hayden until an application for a new trial is disposed of.

LEVI K. FULLER,
For Committee on Bills.

On motion of Mr. Dana the Senate adjourned at ten o'clock and forty minutes.

THURSDAY, DECEMBER 23D, 1880.

Prayer by the Chaplain.

A bill entitled

S. 220. An act to divide the State into Congressional Districts,

Was taken up;

And on motion of Mr. Dana, *ordered* to lie.

The Committee of Conference on the disagreeing votes of the two Houses on the amendment proposed by the Senate to House bill No. 226, entitled, An act compelling county treasurers to make and county judges to publish an annual statement of the county finances, having met, have agreed to recommend to the two Houses as follows:

That the amendment of the Senate be amended in lines eight and fourteen by striking out the word "protested" and inserting the word *accepted*, in both of said lines, and that when the amendment is so amended that the House agree to the amendment of the Senate.

ELISHA LANE,
L. K. FULLER,
P. K. GLEED,
} Managers on the part of the Senate.

A. A. BUTTERFIELD,
L. G. HINCKLEY,
R. C. ABELL,
} Managers on the part of the House.

Thereupon the report was adopted, and the proposals of amendment concurred in.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have adopted the report of the Conference Committee appointed to consider the disagreeing votes of the two Houses on House bill entitled

H. 226. An act compelling county treasurers to make and county judges to publish an annual statement of the county finances.

The House have considered Senate bills of the following titles:

S. 215. An act granting the privilege of labor to Edwin C. Hayden until an application for a new trial is disposed of;

S. 213. An act to incorporate the Freewill Baptist Society of the town of Sutton;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 189. An act to repeal section six of act number one hundred and one of the laws of 1876,

And have refused the same a third reading.

The House have considered Senate bills entitled

S. 222. An act to continue certain statutes in force;

S. 212. An act relating to the compensation of certain officers;

And have passed the same in concurrence with proposal of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have passed a bill entitled

H. 354. An act relating to net fishing,

In the passage of which the concurrence of the Senate is requested.

The House have considered the following proposals of amendment to the Constitution:

Proposal of amendment changing the membership of the House of Representatives;

Proposal of amendment providing for a change of time of holding freemen's meeting and sessions of Legislature;

And by a majority vote refuse to concur in their adoption.

The House have considered the following proposals of amendment to the Constitution:

Proposal of amendment relating to the Legislature's power to control the traffic in intoxicating drinks;

Proposal of amendment relating to filling of vacancies in the House and Senate;

And have by a majority vote concurred in their adoption.

The House have passed a bill of the following title:

H. 21. An act to amend section fifty-seven of chapter one hundred and thirteen of the General Statutes,

In the passage of which the concurrence of the Senate is requested.

Mr. King offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the night watchman, janitor, assistant engineer and sweepers employed about the State House receive for their services the present session the sum of two dollars and fifty cents each, per diem;

Which was read and referred to the Committee on Finance.

A House bill entitled

H. 449. An act to provide for the publication of the Revised Laws of Vermont, 1880,

Was read the third time;

Thereupon Mr. Henry moved that the Senate reconsider its vote amending the bill by striking out of section one the words "L. H. Thompson of Irasburgh,"

Which was agreed to;

Thereupon said proposal of amendment was disagreed to;

Whereupon the bill was passed in concurrence with proposals of amendment.

Bills of the following titles were severally read the third time and passed:

S. 115. An act reducing the fees of county clerks;

S. 114. An act relating to the distribution of school moneys;

S. 216. An act to amend an act providing for the hearing of applications for pardon;

S. 148. An act in addition to number thirteen of the acts of 1876, entitled, An act to protect persons and property in the vicinity of water reservoirs.

A resolution providing that no Senator should speak longer than five minutes without unanimous consent,

Was taken up;

Thereupon Mr. Henry moved to amend the resolution by striking out the words "the unanimous consent of," and inserting in lieu thereof the words *consent of a majority of*;

Which was agreed to;

Thereupon the Senate refused to adopt the resolution—yeas, 9; nays, 14.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Gleed,	Sykes,
Cook,	Judevine,	Woodhouse,
Dunton,	Robinson,	Woodworth—9.

Those Senators who voted in the negative are Messrs.

Blodgett,	Dwinell,	Pember,
Brown,	Field,	Safford,
Dana,	Henry,	Start,
Darling,	King,	Weed—14.
Dillingham,	Paul,	

So the Senate refused to adopt the resolution.

Mr. Safford, from the Committee of Conference, submitted the following report:

STATE HOUSE, MONTPELIER, Vt.,
December 23d, 1880.

To the General Assembly now in session:

The Committee of Conference on the disagreeing vote of the two Houses on the proposals of amendment to Senate bill 26, entitled, An act in relation to the collection of taxes, respectfully report, that having met, after a full and free conference, have agreed to recommend and do recommend as follows:

1. That the Senate concur in the first House proposal of amendment.

2. That section three of the bill be stricken out and the following substituted:

Sec. 3. *There shall be deducted from the taxes paid during the ninety days specified in section two of this act four per centum of the amount thereof; and at the expiration of said ninety days the treasurer of each town shall issue his warrant against the delinquent tax payers for the amount of their taxes, returnable in sixty days from the date thereof, and deliver the same to the collector of taxes of said town. In the case of State taxes there shall be allowed only the abatement prescribed by general law.*

3. That the House recede from its second proposal of amendment so that section four shall read as in the engrossed bill.

4. That the Senate concur in the third, fourth and fifth House proposals of amendment.

A. DWINELL,
A. G. SAFFORD,
E R. GOODSELL,
Committee on the part of the Senate.

WALTER P. SMITH,
HENRY PRIEST,
GEORGE BRIGGS,
Committee on the part of the House.

Thereupon the report was read and adopted on the part of the Senate.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have passed a bill entitled

H. 466. An act to incorporate the Brattleboro and Vernon Railroad Company;

In the passage of which the concurrence of the Senate is requested.

The House have adopted on their part a joint resolution for a joint assembly;

And they ask the Senate to concur in the adoption thereof.

A House bill entitled

H. 374. An act providing for the appointment of receivers of consolidated lines of railroads running from adjoining States into this State,

Was read the third time;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

A bill entitled

S. 220. An act to divide the State into Congressional Districts,

Was taken up;

Thereupon Mr. Gleed moved to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

SEC. 1. Freeman's meetings in each town for the election of Representative in Congress in A. D. 1882, shall be warned and held in every respect as is now provided by law, except said meetings shall be held on the first Tuesday next after the first Monday in November, instead of the first Tuesday in September of said year.

SEC. 2. The certificates of votes shall be returned as is provided in section six, of number two, of the acts of 1870, and the votes shall be canvassed at the State House on the third Tuesday of said November, by a board consisting of the Secretary of State, State Treasurer and Auditor of Accounts, who shall then publicly canvass said votes and declare such person duly elected to the office of Representative in Congress as shall receive a majority of all the votes cast in the respective Congressional districts, and shall certify such election to the Governor.

SEC. 3. It shall be the duty of the Governor to execute under his hand and the seal of the State, proper credentials to the several persons duly declared elected Representatives in Congress.

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time and, under a suspension of the rules, read the third time and passed.

Mr. Gleed moved to amend the title of the bill so that it shall read, An act fixing the time for the next election of Representatives in Congress;

Which were agreed to.

Mr. Start, from the Committee on the Judiciary, submitted a bill entitled

S. 223. An act relating to divorces,

Which was read the first and second times and, under the rule, *ordered* to lie over twenty-four hours and be printed.

House bills of the following titles were severally read the third time and passed in concurrence:

H. 464. An act to provide for the participation of this State in the centennial celebration of the surrender of Cornwallis at Yorktown;

H. 147. An act regarding the construction of railroads.

A bill entitled

S. 212. An act relating to the compensation of certain officers,

Was taken up,

Having been returned from the House with the following proposals of amendment, viz.:

By inserting the words, *Clerk of the House*, in line one, section one;

Which proposal of amendment was concurred in.

Mr. North, from the Committee on Claims, to which was referred a House bill entitled

H. 442. An act to repeal an act approved Nov. 26, 1878, entitled, An act to pay Peter Lander, Jr., the sum therein named;

Reported in favor of its passage in concurrence;

Thereupon the third reading of the bill was refused.

A bill entitled

S. 73. An act to exempt property from taxation,

Was read the third time;

Thereupon Mr. Field moved that the bill be committed to a Senator to amend by adding two new sections as follows:

Sec. 2. Any mortgagee or person claiming or having the benefit of any exemption under the first section of this act who shall directly or indirectly receive more than four per cent per annum either in money or property upon his promissory note or claim secured by mortgage, shall forfeit such promissory note or claim and mortgage, and such promissory note or claim and the mortgage securing the same shall be forever discharged, nor shall any action be maintained on account of the original consideration of such debt;

Sec. 3. This act shall be so construed so that no mortgagee who may have borrowed money under the provisions of section one shall be allowed an offset therefor for debts owing excepting in excess of the sum so borrowed;

Which was agreed to;

Thereupon the bill was committed to the Senator from Windsor to amend,

Who reported the same back amended agreeably to the instruction of the Senate;

Whereupon the passage of the bill was refused—yeas, 13; nays, 15.

Mr. Woodhouse having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Goodsell,	Peck,
Field,	Henry,	Start,
Fuller,	Judevine,	Sykes,
Gleason,	North,	Woodworth—13.
Gleed,		

Those Senators who voted in the negative are Messrs.

Blodgett,	Dunton,	Pember,
Brown,	Dwinell,	Robinson,
Cook,	King,	Safford,
Darling,	Lane,	Thatcher,
Dillingham,	Paul,	Woodhouse—15.

So the passage of the bill was refused.

A bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes entitled, Of the grand list.

Was taken up.

Mr. Dwinell asked, and was granted leave to withdraw his pending proposal of amendment;

Thereupon, Mr. Dwinell moved that the bill be amended by adding to section one the following:

And the State and county treasurers in issuing their warrants to towns which by their last census reports have less than eight hundred inhabitants, it shall be apportioned to such towns for one-fourth less than their actual number of inhabitants;

Whereupon, on motion of Mr. Dwinell, the bill and pending amendment were *ordered* to lie.

Mr. Safford, from the Committee on the Judiciary, to which was referred a bill entitled

S. 179. An act to amend the charter of the village of Rutland,

Reported recommending that the bill be amended:

By striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. At every annual meeting of the village of Rutland the qualified electors of said village shall, by ballot, elect from among their number a President, who shall hold office for one year and until his successor shall be elected and qualified.

SEC. 2. It shall be the duty of such President to preside at all meetings of said village, and he shall have the same powers therein as a moderator of town meetings:

Such President shall also be a member of the board of trustees and the President thereof. If such President approves of any vote or resolution of said board of trustees, he shall sign the same, and the same shall be filed in the office of the clerk of said village, but

if he does not approve the same he shall file his objection thereto in the office of said clerk within two weeks, and in such case the board of trustees at their next regular meeting may reconsider such vote or resolution, and if two-thirds of the whole number of said board of trustees shall vote in favor of the same the same shall take effect, notwithstanding the objection of such President. If such President shall not file his objection to such vote or resolution within said two weeks, the same shall take effect without his approval.

SEC. 3. No money shall be expended by said board of trustees, nor shall any debt be contracted by them, on behalf of said village, unless the money therefor has been previously voted or appropriated, and in case of any violation of this section, such members of said board as shall participate in such violation shall be personally liable therefor.

SEC 4. So much of the act incorporating said village, or any act amending the same as provides for the election of a moderator, is hereby repealed.

Which was agreed to;

Thereupon the bill was read the third time and passed.

On motion of Mr. Dunton the title of the bill was amended so as to read as follows:

S. 179. An act in addition to and in amendment of an act to incorporate the village of Rutland, passed November 15, 1847, and all acts in amendment thereof.

Mr. Dwinell moved that the Senate reconsider its vote refusing a third reading to a bill entitled

S. 119. An act to repeal sections one, two and six of number fifty-six of the acts of 1876, entitled, An act for the further protection of fish and game,

And that the motion to reconsider be *ordered* to lie;

Which was agreed to.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 212. An act relating to the compensation of certain officers,
S. 222. An act to continue certain statutes in force;
S. 66. An act to pay N. F. Dunshee the sum therein named;
S. 164. An act relating to collection of taxes;
S. 117. An act establishing the Vermont Board of Agriculture;
S. 26. An act in relation to the collection of taxes.

WALTER A. WEED,

For Committee on Bills.

On motion of Mr. Henry the Senate adjourned.

AFTERNOON.

President *pro tempore* in the chair.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in joint assembly on Thursday, December 23d, at 8 o'clock P. M., for the purpose of electing a State Superintendent of Education, Railroad Commissioner and three Supervisors of the Insane;

Was read and adopted in concurrence.

Mr. Field from the Joint Committee on the Library, to which was referred a House bill entitled

H. 393. An act to complete Miss Hemenway's Gazetteer of Vermont History, and thus complete the history of all the towns for one hundred years;

Reported in favor of its passage;

Thereupon the bill was *ordered* to be read the third time and under a suspension of the rules read the third time and passed in concurrence—yeas, 17; nays, 8.

Mr. Blodgett having demanded the yeas and nays, they, were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bridgman,	Gleason,	Peck,
Brown,	Goodsell,	Pember,
Dana,	Henry,	Sykes,
Darling,	King,	Thatcher,
Dillingham,	North,	Weed—17.
Field,	Paul,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Lane,	Woodhouse,
Cook,	Safford,	Woodworth—8.
Judevine,	Start,	

So the bill was passed in concurrence.

Mr. Dwinell, from the Committee on the Grand List, submitted a bill entitled

S. 224. An act prescribing the duty of Grand Jurors in certain cases;

Which was read the first time.

The question being, Shall the bill be read the second time?

It was determined in the affirmative—yeas, 18; nays, 0.

Mr. Gleason having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dwinell,	Pember,
Bridgman,	Fuller,	Safford,
Brown,	Goodsell,	Start,
Cook,	Henry,	Sykes,
Dillingham,	North,	Weed,
Dunton,	Paul,	Woodworth—18.

Thereupon the bill was read the second time.

Mr. Safford moved that the rules be suspended and the bill read the third time at the present time;

Which was disagreed to—yeas, 12; nays, 13.

Mr. Gleason having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Dillingham,	King,
Bridgman,	Dunton,	Robinson,
Brown,	Dwinell,	Safford,
Cook,	Gleed,	Woodworth—12.

Those Senators who voted in the negative are Messrs.

Dana,	Lane,	Sykes,
Darling,	North,	Thatcher,
Fuller,	Peck,	Weed,
Gleason,	Start,	Woodhouse—13.
Goodsell,		

So the Senate refused to suspend the rules;

Thereupon the bill was *ordered* to lie twenty-four hours and be printed.

Mr. Bridgman, from the Committee on the Judiciary, to which was referred a bill entitled

S. 203. An act in amendment of section one of chapter forty-eight of the General Statutes,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have on their part adopted the report of the Committee of Conference appointed to consider the disagreeing votes of the two Houses on Senate bill entitled

S. 26. An act in relation to the collection of taxes.

The House have considered their proposal of amendment to Senate bill entitled

S. 66. An act to pay N. F. Dunshee the sum therein named;

And have withdrawn the same,

And have passed the bill in concurrence.

The House have considered Senate bills of the following titles:

S. 217. An act to remove obstructions from Lamoille river in Hardwick, Wolcott and Morristown;

S. 105. An act to amend section eighteen of chapter thirty one of the General Statutes, relating to the jurisdiction of justices of the peace;

S. 165. An act providing for the printing of a catalogue of the principal officers connected with the political history of the State;

And have refused the same a third reading.

The House have passed bills of the following titles:

H. 473. An act to pay E. W. J. Hawkins, Engrossing Clerk, the sum therein named;

H. 117. An act relating to the adjournment of Freemen's Meetings;

H. 261. An act providing for the erection of wire fences to prevent obstructions of highways by snow drifts;

H. 474. An act in amendment of an act entitled, An act laying a tax on the county of Franklin, approved December 18, 1880;

H. 472. An act to incorporate the Coventry Cemetery Association;

H. 309. An act prohibiting railroad companies from leaving hand cars and other nuisances within the bounds of highways;.

H. 432. An act relating to the collection of taxes;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bill entitled

S. 153. An act to incorporate the New England Fire Insurance Company;

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate bills entitled

S. 117. An act establishing the Vermont Board of Agriculture;

S. 164. An act relating to collection of taxes;

And have passed the same in concurrence.

The House have considered proposal of amendment to the Constitution requiring the judges of the supreme court to give opinions in certain cases;

And refuse to concur in its adoption.

Mr. Gleed, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 455. An act to authorize fire insurance companies;

Reported in favor of its passage;

Thereupon, under a suspension of the rule, the bill was read the third time and passed in concurrence.

A bill entitled

S. 222. An act to continue certain statutes in force,

Was taken up, having been returned from the House with the following proposals of amendment:

Strike out the first nine lines of section one and insert in lieu thereof the following:

All laws of this State exempting real estate from taxation in force on the twenty-first day of December, 1880, *shall continue in force until the first day of August*, 1881; *and thereupon and thereafter section* 246 *of the Revised Laws shall be and continue in full force and effect;*

Which were concurred in.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 142. An act relating to the election of assessors in the city of Burlington;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 465. An act to amend an act incorporating the Grand Isle Steamboat Company, approved November 10, 1869;

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 21. An act to amend an act to amend section fifty-seven of chapter one hundred and thirteen of the General Statutes;

H. 354. An act relating to net fishing;

To the Joint Committee on Game and Fisheries.

H. 261. An act providing for the erection of wire fences to prevent obstructions of highways by snow drifts;

To the Committee on Agriculture.

H. 117. An act relating to the adjournment of Freemen's Meeting;

To the Committee on the Judiciary.

H. 309. An act prohibiting railroad companies from leaving hand cars and other nuisances within the bounds of highways;

To the Committee on Railroads.

H. 432. An act relating to the collection of taxes;

To the Committee on the Grand List.

H. 472. An act to incorporate the Coventry Cemetery Association;

To the General Committee.

H. 473. An act to pay E. W. J. Hawkins the sum therein named;

To the Committee on Claims.

H. 474. An act amending an act entitled, An act laying a tax on the county of Franklin, approved December 18, 1880;

To a select committee consisting of the Senators from Franklin county.

A House bill entitled

S. 466. An act to incorporate the Brattleboro and Vernon Railroad Company,

Was read the first time.

The question being, Shall the bill be read the second time?

Mr. Henry raised the point of order that the bill under consideration was identical with Senate bill 219, which was refused a second reading in the Senate December 22d, on the ground that section one of chapter three had not been complied with.

In the absence of official information as regards the required notice the Chair submitted the pending question directly to the Senate;

Thereupon the second reading of the bill was refused—yeas, 11; nays, 18.

Mr. Safford having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dana,	Goodsell,	Thatcher,
Dillingham,	North,	Weed,
Fuller,	Peck,	Woodworth—11.
Gleason,	Pember,	

Those Senators who voted in the negative are Messrs.

Blodgett,	Field,	Paul,
Brown,	Gleed,	Robinson,
Cook,	Henry,	Safford,
Darling,	Judevine,	Start,
Dunton,	King,	Sykes,
Dwinell,	Lane,	Woodhouse—18.

So the the bill was refused a second reading.

On motion of Mr. Dwinell a bill entitled

S. 25. An act to amend chapter eighty-three of the General Statutes, entitled, Of the grand list.

Was taken up.

The question being, Will the Senate adopt the pending proposal of amendment offered by the Senator from Washington?

The same was agreed to—yeas, 13; nays, 10.

Mr. Dwinell having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Field,	Paul,
Bridgman,	Fuller,	Safford,
Dana,	King,	Thatcher,
Dunton,	North,	Woodhouse—13.
Dwinell,		

Those Senators who voted in the negative are Messrs.

Brown,	Judevine,	Robinson,
Darling,	Peck,	Start,
Gleason,	Pember,	Sykes—10.
Gleed,		

So the amendment was agreed to.

On motion of Mr. Dunton the bill was *ordered* to lie.

A House bill entitled

H. 122. An act to amend number one of the acts of 1876, entitled, An act to establish courts of insolvency and provide for the equal distribution of the effects of insolvent debtors,

Was, on motion of Mr. Start, taken up, read the third time and passed in concurrence.

A communication from the Governor, relating to the National Life Insurance Company, was laid before the Senate by the President;

(For Report see Appendix.)

Thereupon the communication and accompanying report were *ordered* placed on file.

Mr. Goodsell, from the Joint Committee on Game and Fisheries, to which was referred a House bill entitled

H. 21. An act to amend an act to amend section fifty-seven of chapter one hundred thirteen of the General Statutes;

Reported in favor of its passage;

Thereupon, under a suspension of the rules, the bill was read the third time, and passage refused.

Mr. Weed offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the State Treasurer be and is hereby directed to pay to the Secretary and Assistant Secretary of the Senate and the Clerk of the House of Representatives the full salary provided by law for each of said officers upon the rising of the present session of the Legislature;

Which was read and referred to the Committee on Finance.

Mr. Goodsell, from the Joint Committee on Game and Fisheries, to which was referred a House bill entitled

H. 354. An act relating to net fishing;

Reported in favor of its passage;

Thereupon, under a suspension of the rules, the bill was read the third time and passed in concurrence.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills, originating in the Senate, of the following titles, viz.:

S. 99. An act to repeal an act entitled, An act in addition to and in amendment of an act changing the name of and relating to the Northfield Cemetery Association, approved November 14, 1869, approved November 28, 1876;

S. 113. An act in amendment of and in addition to section one of number thirty-four entitled, An act relating to railroad bridges, approved November 26, 1872;

S. 215. An act granting the privilege of labor to Edwin C. Hayden until an application for a new trial is disposed of;

S. 212. An act relating to the compensation of certain officers;

S. 213. An act to incorporate the Freewill Baptist Society of the town of Sutton;

S. 97. An act to amend an act to incorporate the St. Albans Manufacturing Company, approved November 9, 1865.

Mr. Dillingham, from the Committee of Conference on the disagreeing votes of the two Houses on joint resolution relating to final adjournment, submitted the following report:

To the Honorable Senate now in session:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution relating to final adjournment, having met and having had full and free conference thereon, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate modify their proposal of amendment as follows; by striking out "eight o'clock and thirty minutes," and inserting in lieu thereof the words *eleven o'clock;*

And that when so modified the House agree to the same.

J. B. PAGE,
GEORGE W. HOOKER,
R. C. ABELL,
} Committee on the part of the House.

W. P DILLINGHAM,
P. K. GLEED,
EDWARD S. DANA,
} Committee on the part of the Senate.

Which was read and adopted.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the Governor has informed the House that he has this day approved and signed bills, originating in the House, as follows:

H. 151. An act to amend the act incorporating the village of Winooski;

H. 77. An act for the disposition of the grammar school funds in the town of Brighton;

H. 373. An act to establish an infantry company at Newport, Orleans County;

H. 70. An act authorizing towns, ecclesiastical societies and cemetery associations to receive donations for the care of cemeteries and burial lots;

H. 453. An act in amendment of an act entitled, An act to empower fire district number one in Brandon to bring water into said district and to issue bonds for that purpose;

H. 181. An act to amend an act to incorporate the Evergreen Cemetery Association;

H. 104. An act relating to State printing and stationery.

On motion of Mr. Dana the Senate took a recess until seven o'clock and thirty minutes in the evening.

EVENING.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate proposals of amendment to House bill entitled

H. 449. An act to provide for the publication of the Revised Laws of Vermont, 1880,

And have concurred therein.

The House have adopted the report of the Conference Committee appointed to consider the disagreeing votes of the two Houses on joint resolution relating to final adjournment.

The House have considered Senate bills of the following titles:

S. 149. An act relating to process in divorce cases;

S. 181. An act in relation to persons in confinement in prison and under sentence of death;

S. 180. An act in amendment of an act entitled, An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled, Of the support and removal of and relief of the insane poor, approved November 26, 1878;

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte;

S. 200. An act providing for the attachment of mortgaged personal property;

S. 166. An act relating to report of receiver of insolvent savings banks and trust companies;

And have passed the same in concurrence.

The House have considered Senate bill entitled

S. 161. An act to regulate elections;

And have refused the same a third reading.

The House have considered Senate bills of the following titles:

S. 193. An act establishing the salaries of certain State officers, and abolishing the offices of State Superintendent of Education and State Superintendent of Agricultural Affairs;

S. 141. An act relating to commitments;

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

I am directed to inform the Senate that the House have passed bills of the following titles:

H. 299. An act to tax express and telegraph companies;

H. 355. An act to incorporate the Village of Lyndonville;

H. 302. An act relating to the taxation of stock in corporations;

H. 389. An act relating to repairs on highways;

H. 469. An act relating to abstracts for State taxes;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bills of the following titles:

H. 460. An act relating to the duties of auditor of accounts;

H. 110. An act to incorporate the Marble Savings and Trust Company of Rutland,

And have concurred therein.

The House have considered the following proposals of amendment to the Constitution:

Proposal of amendment relating to reprieves, commutations, and pardons;

Proposal of amendment relating to certain State officers,

And have adopted the same in concurrence by a majority vote.

The House have considered the following proposals of amendment to the Constitution:

Proposal of amendment relating to the returning and canvassing of votes for State officers;

Proposal of am endment relating to future amendments to the Constitution,

And refuse to adopt the same in concurrence.

A bill entitled

S. 221. An act authorizing the erection of a State insane asylum for the insane,

Was taken up;

Thereupon the third reading of the bill was refused.

A bill entitled

S. 153. An act to incorporate the New England Fire Insurance Company,

Was taken up;

Having been returned from the House with the following proposal of amendment:

Add to section ten the words,

And shall be under the control of any future Legislature to alter, amend or repeal;

Which was concurred in.

Mr. Start, from the select committee, to which was referred a House bill entitled

H. 474. An act amending an act entitled, An act laying a tax on the county of Franklin, approved December 18, 1880,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

The President appointed as a Committee of Conference, on the part of the Senate, on the disagreeing vote of the two Houses on a bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

Senator Dana of Addison,
" Blodgett of Caledonia,
" Paul of Windsor.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered a proposal of amendment to the Constitution in relation to enabling towns to aid railroads,

And have by a majority vote adopted the same in concurrence.

The House insist on their proposals of amendment to Senate bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

And request a Committee of Conference;

And have appointed as such committee, on the part of the House, on the disagreeing votes of the two Houses,

Mr. Palmer of Jericho,
" Richmond of Rochester,
" Fowler of Randolph.

The House have passed a bill entitled

H. 475. An act making provision for the support of government; In the passage of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times, and referred as follows:

H. 469. An act relating to abstracts for State taxes;

H. 302. An act relating to the taxation of stock in corporations; To the Committee on the Grand List.

H. 475. An act making provisions for the support of government; To the Committee on Finance.

H. 299. An act to tax express and telegraph companies; To the Committee on the Judiciary.

H. 389. An act relating to repairs on highways; To the Committee on Highways and Bridges.

H. 355. An act to incorporate the Village of Lyndonville; To the General Committee.

A bill entitled

S. 193. An act establishing the salaries of certain State officers, etc.,

Was taken up;

Having been returned from the House with the following proposals of amendment:

First, By striking out section two;

Second, By striking out section five;

Third, By striking out of the title the words, "offices of State Superintendent of Education," and inserting in lieu thereof the words, *office of;*

Which were severally concurred in.

A House bill entitled

H. 374. An act to provide for the appointment of receivers of consolidated lines of railroads running from adjoining States into this State,

Was taken up on motion of Mr. Dunton;

Thereupon Mr. Dillingham moved that the Senate propose to the House to amend the bill as follows:

First, Amend in thirtieth line of section one, by striking out the word "shall" and inserting in lieu thereof the word *may;*

Second, Insert after the word "thereupon," in line thirty-one, the words,

Upon the approval of a Chancellor on due notice by advertisement previously published;

Third, After the word "through," in line thirty-nine, insert *original;*

Which were severally agreed to;

Thereupon, under a suspension of the rules, the bill was read the third time and passed in concurrence with proposals of amendment.

The hour having arrived for the meeting of the two Houses in joint assembly, the Senate repaired to the Hall of the House of Representatives;

And having returned therefrom,

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills, originating in the Senate, of the following titles, viz.:

S. 164. An act relating to collectors of taxes;

S. 222. An act to continue certain statutes in force;

S. 117. An act establishing the Vermont Board of Agriculture;

S. 26. An act in relation to the collection of taxes;

S. 66. An act to pay N. F. Dunshee the sum therein named.

A bill entitled

S. 141. An act relating to commitments,

Was taken up, having been returned from the House with a proposal of amendment, as follows:

Add a new section;

Sec. 12. *Section ten of number four of the acts of* 1878, *and all other acts and parts of acts inconsistent with this act are hereby repealed;*

Which was concurred in.

Mr. Field, from the Committee on Claims, submitted a bill entitled

S. 225. An act to pay L. F. Thurber the sum therein named;

Which was read the first and second times,

And, under a suspension of the rules, read the third time and passed.

Mr. Thatcher, from the Committee on Finance, to which was referred a joint resolution relating to the payment of the salaries of the Secretaries of the Senate and Clerk of the House,

Reported in favor of its adoption;

Thereupon the resolution was adopted on the part of the Senate.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage;

Thereupon, under a suspension of the rules, the bills were severally read the third time and passed in concurrence;

By Mr. Woodhouse, from the Committee on Banks,

H. 405. An act relating to the investing of deposits in savings banks and to the custody of treasurers' bonds;

H. 419. An act to incorporate the Barre Savings Bank.

By Mr. Woodworth, from the Committee on the Grand List,

H. 459. An act to amend section two of chapter fifteen of the General Statutes.

By Mr. Dunton, from the Committee on the Judiciary,

H. 299. An act to tax express and telegraph companies.

By Mr. Fuller, from the Committee on Finance,

H. 475. An act making provision for the support of government.

By Mr. Sykes, from the General Committee,

H. 472. An act to incorporate the Coventry Cemetery Association.

By Mr. Dillingham, from the Committee on Railroads,

H. 309. An act prohibiting railroad companies from leaving hand cars and other nuisances within the bounds of the highway.

By Mr. Field, from the Committee on Claims,

H. 473. An act to pay E. W. J. Hawkins the sum therein named.

By Mr. Gleed, from the Committee on the Judiciary,

H. 117. An act relating to the adjournment of Freemen's Meetings.

By Mr. Lane, from the General Committee,

H. 355. An act to incorporate the Village of Lyndonville.

Mr. Pember, from the Committee on Agriculture, to which was referred a House bill entitled

H. 261. An act providing for the erection of wire fences to prevent obstructions of highways by snow drifts,

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to lie.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte;

S. 200. An act providing for the attachment of mortgaged personal property;

S. 149. An act relating to process in divorce cases;

S. 166. An act relating to reports of receivers of insolvent savings banks and trust companies;

S. 153. An act to incorporate the New England Fire Insurance Company;

S. 151. An act relating to the grand list of school districts;

S. 205. An act relating to the canvassing of votes for electors of President and Vice President.

WALTER A. WEED,

For Committee.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bills of the following titles:

S. 139. An act to provide for the appointment of a chaplain for the House of Correction and the payment for transportation of discharged convicts to their homes;

S. 210. An act in relation to highway surveyors in towns of over six thousand inhabitants;

S. 170. An act relating to the powers and authority of assistant judges of the county court;

S. 151. An act relating to the grand list of school districts;

S. 205. An act relating to canvassing of votes for electors of President and Vice President;

And have passed the same in concurrence.

The House have passed a bill entitled

H. 426. An act relating to the duties of the trustees of the Vermont Reform School;

In the passage of which the concurrence of the Senate is requested.

The Governor has informed the House that he has this day approved and signed bills originating in the House of the following titles, viz.:

H. 393. An act to complete Miss Hemenway's Gazetteer of Vermont History, and thus complete the history of all the towns for one hundred years;

H. 465. An act to amend an act incorporating the Grand Isle Steamboat Company, approved November 10, 1869;

H. 455. An act to authorize fire insurance companies;

H. 464. An act to provide for the participation of this State in the centennial celebration of the surrender of Cornwallis at Yorktown;

H. 110. An act to incorporate the Marble Savings Bank;

H. 460. An act relating to the duties of the auditor of accounts;

H. 449. An act to provide for the publication of the Revised Laws of Vermont;

H. 64. An act relating to highways and bridges and liabilities of towns as to damages;

H. 412. An act to amend section five of the act of incorporation of the village of St. Johnsbury;

H. 307. An act to restrain fowls;

H. 226. An act compelling county treasurers to make and county judges to publish an annual [statement] of the county finances;

H. 352. An act in relation to telegraph companies;

H. 311. An act in amendment of an act entitled, An act to amend

section one hundred and ten of chapter twenty-two of the General Statutes of Vermont, and to prescribe certain duties to district clerks, teachers and town superintendents, approved November 18, 1878;

H. 364. An act to pay George F. O. Kimball the sum therein named;

H. 402. An act directing the State Treasurer to deliver funds in his hands to the treasurer of the Green Mountain Cemetery Association at Burlington;

H. 459. An act to amend section two of chapter fifteen of the General Statutes;

H. 450. An act relating to manufacturing companies formed under chapter one hundred and seven of the General Statutes;

H. 235. An act in addition to chapter eighty-eight of the General Statutes, relating to magnetic telegraph companies;

H. 461. An act relating to the continuance of cases to the general term of the supreme court;

H. 463. An act compelling certain railroad companies to keep a flagman at the railroad crossing in the main street in Newport village in the town of Newport, Vermont;

H. 444. An act to equalize taxation.

The House have, on their part, adopted a joint resolution granting pay to Edward Conant for services rendered;

In the adoption of which the concurrence of the Senate is requested.

Mr. Dwinell, from the Committee on the Grand List, to which was referred a House bill entitled

H. 432. An act relating to the collection of taxes;

Reported recommending that the Senate propose to the House to amend the bill by striking out the word "three" in the fifth line of section two and inserting in lieu thereof the word *four*.

Which was agreed to;

Thereupon, on motion of Mr. Safford, the bill was *ordered* to lie.

A bill entitled

S. 223. An act relating to divorces,

Was taken up;

Thereupon the bill was *ordered* to be read the third time and, under a suspension of the rules, read the third time and passed.

Mr. Thatcher, from the Committee on Finance, to which was referred a House bill entitled

H. 457. An act fixing the salaries of certain State officers;

Reported recommending that the Senate propose to the House to amend the bill by striking out all of the sections thereof except sections seven and eight,

Which was agreed to.

Mr. Paul moved that the Senate further propose to the House to amend the bill by striking out section eight,

Which was agreed to;

Thereupon the bill was *ordered* to be read the third time to morrow morning.

A House bill entitled

H. 426. An act relating to the duties of the trustees of the Vermont Reform School,

Was read the first and second times and referred to the Joint Committee on the Reform School.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the Auditor of Accounts be directed to draw his order on the State Treasurer in favor of Edward Conant for the sum of eighty eight dollars and twenty-five cents, it being for twenty-three days' services as Superintendent of Education since the expiration of his biennial term,

Was read and referred to the Committee on Finance.

Mr. Thatcher, from the Committee on Finance, to which was referred a joint resolution from the House relating to the night watchman, sweepers, etc.,

Reported adversely to its adoption in concurrence;

Thereupon the Senate refused to adopt the resolution.

Mr. Dillingham moved that the Senate take a recess for one hour;

And the same was agreed to.

The recess having expired Mr. Dana was called to the chair.

Mr. North, from the Committee on Highways and Bridges, to which was referred a House bill entitled

H. 389. An act relating to repairs on highways;

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Dwinell presented the following joint resolution:

Resolved by the Senate and House of Representatives, That the night watchman, janitor, assistant engineer and sweepers employed about the State House receive for their services since December 1st, to the close of the session, two dollars each, per diem;

Which was read and adopted on the part of the Senate.

Mr. Dwinell, from the Committee on the Grand List, to which was referred a House bill entitled

H. 302. An act relating to the taxation of stock in corporations;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time and under a suspension of the rules, read the third time;

Whereupon Mr. Safford moved that the Senate propose to the House to amend the bill by inserting the word *seventeen* after the word "sections," in the first line of section eight;

Which was agreed to;

Thereupon the bill was passed in concurrence with proposal of amendment.

Mr. Dillingham moved that the Senate reconsider its vote passing in concurrence a House bill entitled

H 147. An act regarding the construction of railroads,

Which was agreed to;

Thereupon Mr. Dillingham moved that the Senate propose to the House to amend the bill by inserting after the word " maintain," in line five, section one, the words *lawful fences and;*

Which was agreed to;

Thereupon the bill was passed in concurrence with proposals of amendment.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 139. An act to provide for the appointment of a chaplain for the House of Correction and the payment for transportation of discharged convicts to their homes;

S. 170. An act relating to the powers and authority of assistant judges of the county court;

S. 210. An act in relation to highway surveyors in towns of over six thousand inhabitants;

S. 211. An act in relation to town meetings in towns of over six thousand inhabitants.

LEVI K. FULLER,
For Committee on Bills.

Mr. Paul, from the Joint Committee on the Reform School, to which was referred a House bill entitled

H. 426. An act relating to the duties of the trustees of the Vermont Reform School;

Reported adversely to its passage in concurrence;

Thereupon the third reading of the bill was refused.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered joint resolution from the Senate relating to the payment of salaries to the Secretaries of the Senate and Clerk of the House of Representatives;

And have adopted the same in concurrence.

The House have considered Senate bill entitled

S. 220. An act fixing the time for the next election of Representatives in Congress;

And have passed the same in concurrence with proposals of amendment;

In the adoption of which the concurrence of the Senate is requested.

The House have considered Senate proposals of amendment to House bill entitled

H. 109. An act abolishing counsel fees in certain cases;

And have concured therein.

The House have adopted the report of the Conference Committee on the disagreeing votes of the two Houses on House bill entitled

H. 114. An act to pay the Rutland County National Bank the sum therein named.

The House have passed a bill entitled

H. 470. An act relating to deductions for debts owing;

In the passage of which the concurrence of the Senate is requested.

The House have considered Senate bills of the following titles:

S. 131. An act amending sections twenty-six, twenty-seven and twenty-eight of chapter one hundred and twenty-three of the General Statutes, entitled, Of the State Prison;

S. 163. An act in relation to the taxation of railroad property;

S. 211. An act in relation to town meetings in towns of over six thousand inhabitants;

And have passed the same in concurrence.

The House have considered Senate bills entitled

S. 207. An act providing for the issue of a writ of possession in certain cases;

S. 173. An act to reduce State expenses;

And have refused the same a third reading.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 180. An act in amendment of an act entitled, An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled, Of the support and removal of and relief of the insane poor, approved Nov. 26, 1878;

S. 181. An act in relation to persons in confinement in prison and under sentence of death.

WALTER A. WEED,

For Committee on Bills.

Mr. Bridgman, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 410. An act equalizing the costs of commitment taxed against respondents committed to the House of Correction,

Reported in favor of its passage;

Thereupon, Mr. Dillingham moved that the Senate propose to the House to amend the bill by striking out the words "all cases be," in line three of section one, and inserting in lieu thereof the words, *no case exceed;*

Which was agreed to;

Thereupon, on motion of Mr. Dunton, the bill was committed to the Joint Committee on the House of Correction.

On motion of Mr. Henry a House bill entitled

H. 239. An act exempting certain property from taxation,

Was taken up;

Thereupon the vote refusing a third reading of the bill was reconsidered;

Whereupon the bill was *ordered* to be read the third time and under a suspension of the rules read the third time and passed in concurrence.

A bill entitled

S. 206. An act to amend section thirty-four of chapter thirty-six of the General Statutes,

Was read the third time and passed.

A House bill entitled

H. 261. An act providing for the erection of wire fences to prevent obstructions of highways by snow drifts,

Was taken up, *ordered* to be read the third time,

And under a suspension of the rules, read the third time and passed in concurrence.

Mr. Fuller, from the Committee on Finance, to which was referred joint resolution from the House granting pay to Edward Conant for services rendered,

Reported recommending that the Senate propose to the House to amend the resolution so that it will read as follows:

Resolved by the Senate and House of Representatives, That the Auditor of Accounts be directed to draw his order on the State Treasurer in favor of Edward Conant for the sum of ninety-two dollars and eighty-seven cents for twenty-three days' services as Superintendent of Education since the expiration of his biennial term;

And to draw his order on the State Treasurer in favor of John B. Mead for the sum of ninety-two dollars and eighty seven cents for twenty-three days' services as Superintendent of Agriculture since the expiration of his biennial term;

Which was agreed to;

Thereupon the resolution was adopted in concurrence, with proposals of amendment.

Mr. Peck, from the Joint Committee on the House of Correction, to which was referred a House bill entitled

H. 410. An act equalizing the costs of commitment taxed against respondents committed to the House of Correction,

Reported recommending its passage as amended;

Thereupon the bill was *ordered* to be read the third time, and under a suspension of the rules, read the third time, and passed in concurrence, with proposals of amendment.

Mr. Paul moved that the Senate request the House to return to their possession a House bill entitled

H. 426. An act relating to the duties of the trustees of the Vermont Reform School,

Which was agreed to.

A House bill entitled

H. 432. An act relating to the collection of taxes,

Was taken up;

Thereupon, on motion of Mr. Field, the Senate reconsidered its vote agreeing to the proposal of amendment offered by the Committee on the Grand List;

Whereupon said proposal of amendment was disagreed to, the bill *ordered* to be read the third time, and under a suspension of the rules, read the third time, and passed in concurrence.

On motion of Mr. Dana the Senate took a recess for thirty minutes.

The recess having expired the President resumed the chair.

A message from the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate of the following titles, viz.:

S. 120. An act to promote the construction of a bridge from Alburgh to Isle La Motte;

S. 153. An act to incorporate the New England Fire Insurance Company;

S. 149. An act relating to process in divorce cases;

S. 166. An act relating to report of receivers of insolvent savings banks and trust companies;

S. 200. An act providing for the attachment of mortgaged personal property;

S. 151. An act relating to the grand list of school districts;

S. 210. An act in relation to highway surveyors in towns of over six thousand inhabitants;

S. 205. An act relating to the canvassing of votes for electors of President and Vice President;

S. 170. An act relating to the powers and authority of assistant judges of the county court;

S. 163. An act in relation to the taxation of railroad property

S. 180. An act in amendment of an act entitled, An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes entitled, Of the support and removal of and relief of the insane poor, approved November 26, 1878;

S. 211. An act in relation to town meetings in towns of over six thousand inhabitants;

S. 181. An act in relation to persons in confinement in prison and under sentence of death;

S. 139. An act to provide for the appointment of a chaplain for the House of Correction, and the payment for transportation of discharged convicts to their homes.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 351. An act to incorporate the Rochester Mountain Sanitarium and Health Resort Association;

Reported the same back to the Senate without an expression of opinion;

Thereupon the bill was *ordered* to be read the third time, read the third time and passed in concurrence.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered the following proposal of amendment to the Constitution requiring an additional oath of members of the General Assembly,

And have adopted the same in concurrence by a majority vote.

The House have considered Senate proposals of amendment to a joint resolution granting pay to Edward Conant for services rendered,

And have concurred therein.

The House have passed bills entitled

H. 75. An act to establish a State Board of Health and Vital Statistics;

H. 267. An act to pay Elihu S. Holden the sum therein named;

In the passage of which the concurrence of the Senate is requested.

The House have, on their part, adopted a joint resolution to regulate the price of Vermont Reports;

In the adoption of which the concurrence of the Senate is requested.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 470. An act relating to deductions for debts owing;

To the Committee on the Grand List.

H. 267. An act to pay Elihu S. Holden the sum therein named;

To the Committee on Claims.

A House bill entitled

H. 75. An act to establish a State Board of Health and Vital Statistics,

Was read the first time;

Thereupon, on motion of Mr. Woodhouse, the further consideration of the bill was indefinitely postponed.

Mr. Field, from the Committee on Claims, to which was referred a House bill entitled

H. 267. An act to pay Elihu S. Holden the sum therein named,

Reported in favor of its passage;

Thereupon the bill was read the third time and passed in concurrence.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 163. An act in relation to the taxation of railroad property;

S. 131. An act amending sections twenty-six, twenty-seven and twenty-eight of chapter one hundred and twenty-three of the General Statutes, entitled, Of the State Prison;

S. 141. An act relating to commitments;

S. 193. An act establishing the salaries of certain State officers and abolishing the office of State Superintendent of Agricultural Affairs;

S. 115. An act reducing the fees of county clerks.

WALTER A. WEED,

For Committee.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 473. An act to pay E. W. J. Hawkins, Engrossing Clerk, the sum therein named;

H. 469. An act relating to abstracts for State taxes;

H. 474. An act in amendment of an act entitled, An act laying a tax on the county of Franklin, approved December 18, 1880;

H. 475. An act making provision for the support of government;

H. 309. An act prohibiting railroad companies from leaving hand cars and other nuisances within the bounds of highways;

H. 472. An act to incorporate the Coventry Cemetery Association;

H. 354. An act relating to net fishing;

H. 299. An act to tax express and telegraph companies;
H. 419. An act to incorporate the Barre Savings Bank;
H. 117. An act relating to the adjournment of Freemen's Meetings;
H. 405. An act relating to the investment of deposits in savings banks and to the custody of treasurers' bonds;
H. 122. An act to amend number one of the acts of 1876, entitled, An act to establish courts of insolvency and provide for the equal distribution of the effects of insolvent debtors;
H. 109. An act abolishing counsel fees in certain cases.

I am directed to return to the possession of the Senate, agreeably to their request, a House bill entitled

H. 426. An act relating to the duties of the trustees of the Vermont Reform School.

The House have considered Senate bill entitled

S. 115. An act reducing the fees of county clerks;

And have passed the same in concurrence.

Mr. Woodworth, from the Committee on the Grand List, to which was referred a House bill entitled

H. 470. An act relating to deductions for debts owing;

Reported in favor of its passage in concurrence;

Thereupon the bill was *ordered* to be read the third time and under a suspension of rules, read the third time;

Thereupon the passage of the bill was refused—yeas, 12; nays, 13.

Mr. Dunton having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleason,	Start,
Brown,	Goodsell,	Thatcher,
Darling,	Judevine,	Woodhouse,
Fuller,	Peck,	Woodworth—12.

Those Senators who voted in the negative are Messrs.

Dana,	Henry,	Robinson,
Dillingham,	King,	Safford,
Dunton,	Lane,	Sykes,
Dwinell,	North,	Weed—13.
Field,		

So the passage of the bill was refused.

A bill entitled

S. 220. An act fixing the time for the next election of Representatives in Congress,

Was taken up, having been returned from the House with proposals of amendment as follows:

By striking out all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. The first Congressional District of the State shall be composed of the counties of Bennington, Rutland, Addison, Chittenden, Franklin, Grand Isle and Lamoille.

SEC. 2. The second Congressional District shall be composed of the counties of Windham, Windsor, Orange, Washington, Caledonia, Orleans and Essex.

SEC. 3. Sections thirty-three and thirty-four of chapter one of the General Statutes are hereby repealed.

SEC. 4. If before the first Tuesday of July, 1882, the Congress of the United States shall make a re-apportionment of Representatives to Congress, and in such re-apportionment shall apportion to the State of Vermont two Representatives only, the Governor shall, as soon as may be after the passage of the act of Congress making such re-apportionment, issue a proclamation stating the action of Congress and reciting this act.

SEC. 5. This act shall take shall effect on the day when the Governor makes his proclamation under the provisions of the preceding section, and not otherwise

Which proposal of amendment was concurred in—yeas, 16; nays, 7.

Mr. Blodgett having demanded the yeas and nays, they, were taken and are as follows:

Those Senators who voted in the affirmative are Messrs.

Blodgett,	Gleason,	Pember,
Brown,	Judevine,	Robinson,
Darling,	Lane,	Start,
Dunton,	Paul,	Woodhouse,
Dwinell,	Peck,	Woodworth—16.
Fuller,		

Those Senators who voted in the negative are Messrs.

Gleed,	King,	Safford,
Dana,	North,	Sykes—7.
Henry,		

So the proposals of amendment were concurred in.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills, originating in the Senate, of the following titles, viz.:

Also:

Joint resolution as to pay of certain employes;

Joint resolution relating to the payment of salaries to the Secretaries of the Senate and Clerk of the House of Representatives;

Joint resolution relating to the messengers;

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein.

I am also directed to inform the Senate that the Governor has received their communication that they have, on their part, finished the business of the session and that he has no further communication to make.

A joint resolution from the House as follows:

Resolved by the Senate and House of Representatives, That the price to be fixed by the Reporter, the Secretary of State and the Auditor of Accounts for the volumes of the Vermont Supreme Court Reports shall be hereafter fixed at the uniform price of two and 75-100 dollars per volume;

Which was read and adopted in concurrence.

Mr. Field, from the Committee of Conference, submitted the following report:

To the Senate:

The Committee of Conference on the disagreeing votes of the two Houses on House bill number 114, entitled, An act to pay the Rutland County Bank the sum therein named, respectfully report that they have met and after free conference have been unable to agree thereon.

FRED G. FIELD,
W. C. DUNTON,
A. DWINELL,
} Managers on the part of the Senate.

A. A. BUTTERFIELD,
THEOPHILUS GROUT,
H. A. FLETCHER,
} Managers on the part of the House.

Dec. 23d, 1880.

Which was read and adopted.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 220. An act fixing the time for the next election of Representatives in Congress;

S. 179. An act in addition to and in amendment of an act to incorporate the village of Rutland, passed November 15, 1847, and all acts in amendment thereto;

S. 183. An act to incorporate the Masonic Relief Association of Vermont;

S. 209. An act relating to the State Library;

S. 214. An act relating to vacancies in the office of assistant judge of the county court;

S. 225. An act to pay Lester F. Thurber the sum therein named;

S. 208. An act relating to the payment of civil damages by venders of intoxicating liquor.

L. K. FULLER,

For Committee on Bills.

On motion of Mr. Fuller the Senate took a recess for fifteen minutes.

The recess having expired the President resumed the chair.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bills of the following titles:

S. 208. An act relating to the payment of civil damages by venders of intoxicating liquor;

S. 225. An act to pay Lester F. Thurber the sum therein named;

S. 183. An act to incorporate the Masonic Relief Association of Vermont;

S. 209. An act relating to the State Library;

S. 214. An act relating to vacancies in the office of assistant judge of the county court;

S. 179. An act in addition to and in amendment of an act to incorporate the village of Rutland, passed November 15, 1847, and all acts in amendment thereof;

And have passed the same in concurrence.

The House have considered Senate proposals of amendment to House bills of the following titles:

H. 147. An act regarding the construction of railroads;

H. 302. An act relating to the taxation of stock in corporations;

H. 410. An act equalizing the costs of commitment taxed against respondents committed to the House of Correction;

And have concurred therein.

Mr. Field, from the Committee on Printing, to which was referred a bill entitled

S. 34. An act to provide for printing of the messages of the Governor and Governor elect,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Joint resolution from the House relating to civil service reform,

Was taken up;

Thereupon Mr. Dana moved that the resolution be indefinitely postponed,

Which was agreed to—yeas, 18; nays, 7.

Mr. Peck having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Bledgett,	Fuller,	Robinson,
Dana,	King,	Safford,
Darling,	Lane,	Sykes,
Dillingham,	North,	Thatcher,
Dunton,	Paul,	Weed,
Dwinell,	Pember,	Woodworth—18.

Those Senators who voted in the negative are Messrs.

Brown,	Henry,	Peck,
Field,	Judevine,	Start—7.
Gleason,		

So the resolution was indefinitely postponed.

Mr. Dunton moved that when the Senate adjourn it be to meet Friday morning at nine o'clock and thirty minutes;

Which was agreed to.

Mr. Paul moved that the Senate reconsider its vote refusing a third reading to House bill entitled

H. 426. An act relating to the duties of the trustees of the Vermont Reform School,

Which was disagreed to;

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered the report of the Committee of Conference on the disagreeing votes of the two Houses on Senate bill entitled

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein,

And have adopted the same.

The House have considered Senate bills of the following titles:

S. 148. An act in addition to number thirteen of the acts of 1876;

S. 114. An act relating to the distribution of school moneys;

And have passed the same in concurrence.

The House have considered a joint resolution from the Senate relating to the pay of certain employes,

And have adopted the same in concurrence.

The House have passed bills of the following titles:

H. 121. An act entitled an act to pay George H. Keniston the sum therein named;

H. 256. An act to amend section twenty-five, chapter thirty-three of the General Statutes;

H. 431. An act to protect fish in Reservoir Pond in Ludlow and Plymouth Pond in Plymouth, on Black River;

H. 421. An act in addition to the law relating to mechanics' liens;

In the passage of which the concurrence of the Senate is requested.

The Committee on Bills submitted the following report:

To the Honorable Senate now in session:

The Committee on Bills respectfully report that they have duly examined the following bills, and have this day presented the same to the Governor for his approval:

S. 197. An act relating to the Vermont Reform School and children ordered to be confined therein;

S. 148. An act in addition to number thirteen of the acts of 1876;

S. 216. An act to amend an act approved November 1, 1878, providing for the hearing applications for pardon;

S. 114. An act relating to the distribution of school moneys.

WALTER A. WEED,

For Committee.

Mr. Henry moved that the Committee on Banks be requested to report on bill No. 454, substitute for House bill 316;

Which was agreed to.

Mr. Dana submitted the following report:

The Committee of Conference on the disagreeing votes of the two Houses on the House amendments to Senate bill number 197, having met and had full and free conference thereon, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from their first and third proposals of amendment;

That the Senate recede from their disagreement to the second proposal of amendment made by the House and agree to the same when modified to read as follows:

Sec. 18. *When a child is committed to the Reform School on conviction of a criminal offense, the town in which such child last resided, prior to such commitment, shall pay to the trustees of the Reform School, toward his maintenance at such school, or in any family where such child may be placed by the authorities of the school, one dollar per week so long as such child remains under the age of twelve years, and fifty cents per week thereafter during the term of such commitment;*

And when so modified the Senate agree to the same;

And that the following sections be added to the bill at the end of section eighteen:

Sec. 19. *When a child under twelve years of age is committed to the Reform School on conviction of a criminal offense, the town in which such child last resided prior to such commitment shall, so long as such child remains under twelve years of age, pay to the trustees of the Reform School toward his maintenance at such school, or in any family where such child may be placed by the authorities of the school, one dollar per week and fifty cents thereafter. But being an inmate or beneficiary of a charitable asylum shall not be such a residence as to charge the town in which the asylum is located with the maintenance of a child committed therefrom if such child has no legal settlement in the State, but such child shall be chargeable to the town in which he last resided before becoming an inmate of the asylum.*

Sec. 20. *If a town does not pay such sum on demand, the directors may, in the name of the Treasurer of the State, recover the same in an action of assumpsit. Such town may recover the sums so paid of the town where such child has a legal settlement.*

Sec. 21. *The court by whom a person is sentenced to the Reform School shall certify, in the mittimus, the town in which the person had his last home, agreeably to the two preceding sections; and such certificate shall be presumptive evidence of the fact. The superintendent, upon the commitment of such person shall notify in*

writing the selectmen of such town, by mail or otherwise, of the name of the person committed, the offense charged, and the term of sentence.

EDWARD S. DANA,
E. D. BLODGETT,
ORA PAUL,
} Managers on the part of the Senate.

C. S. PALMER,
ALBERT RICHMOND,
JAMES G. FOWLER,
} Managers on the part of the House.

Which was read and adopted.

On motion of Mr. Dunton, S. M. Dorr and others, petitioners, were allowed to withdraw their petition.

Mr. Safford, from the Committee on the Judiciary, to which was referred bills of the following titles;

S. 144. An act to repeal section four of an act providing for assignment of counsel to defend respondents;

S. 152. An act to authorize the building of a water-spout or sluice in the valley of the Brewster river in the town of Cambridge,

Reported adversely to their passage;

Thereupon the third reading of the bills was refused.

Mr. Dunton, from the select committee consisting of the Senators from Rutland county, to which was referred a bill entitled

S. 132. An act to incorporate the city of Rutland,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

Mr. Fuller moved that the Senate do now adjourn,

Which was disagreed to—yeas, 9; nays 11.

Mr. Dana having demanded the yeas and nays, they were taken, and are as follows:

Those Senators who voted in the affirmative are Messrs.

Dwinell,	Judevine,	Peck,
Gleason,	Lane,	Pember,
Henry,	North,	Safford—9.

Those Senators who voted in the negative are Messrs.

Blodgett,	Field,	Sykes,
Brown,	King,	Weed,
Dana,	Paul,	Woodworth—11.
Darling,	Start,	

So the Senate refused to adjourn.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have considered Senate bills of the following titles:

S. 223. An act relating to divorces;
S. 206. An act to amend section thirty-four of chapter thirty-six of the General Statutes;
And have refused the same a third reading.

The House have considered Senate bill entitled
S. 216. An act to amend an act approved November 1, 1878, providing for the hearing of applications for pardon;
And have passed the same in concurrence.

The House have passed a bill entitled
H. 439. An act to prevent escapes from county jails;
In the passage of which the concurrence of the Senate is requested.

Mr. Dana in the chair.

Mr. Dunton moved that the Senate take a recess of fifteen minutes;
Which was agreed to.
The recess having expired, Mr. Dana resumed the chair.

House bills of the following titles were severally read the first and second times and referred as follows:

H. 121. An act entitled, An act to pay George H. Kenniston the sum therein named;
To the Committee on Claims.

H. 256. An act to amend section twenty-five of chapter thirty-three of the General Statutes;
To the General Committee.

H. 421. An act in addition to the law relating to mechanics' liens;
H. 439. An act to prevent escapes from the county jails;
To the Committee on the Judiciary.

A House bill entitled
H. 431. An act to protect fish in Reservoir Pond in Ludlow and Plymouth Pond in Plymouth, on Black River.
Was read the first and second times,
And, under a suspension of rules, read the third time and passed in concurrence.

Mr. Weed offered the following joint resolution:

Resolved by the Senate and House of Representatives, That the messengers employed during this session be paid two dollars per day from and including December 1st, 1880, to the close of this session;
Which was read and adopted on the part of the Senate.

Mr. Fuller moved that the Senate take a recess for fifteen minutes;
Which was agreed to.
At the expiration of the recess, the President resumed the chair.

House bills of the following titles were severally reported from the various committees to which they were referred, in favor of their passage;

Thereupon the bills were severally *ordered* to be read the third time,

And, under a suspension of rules, read the third time and passed in concurrence:

By Mr. Field, from the Committee on Claims,

H. 121. An act entitled, An act to pay George H. Kenniston the sum therein named.

By Mr. Henry, from the Committee on the Judiciary,

H. 121. An act in addition to the law relating to mechanics' liens.

By Mr. Lane, from the General Committee,

H. 256. An act to amend section twenty-five of chapter thirty-three of the General Statutes.

EXECUTIVE SESSION.

At seven o'clock and twenty minutes, on motion of Mr. Gleed, the Senate went into Executive Session to consider a communication from His Excellency the Governor.

The President laid before the Senate the following communication from His Excellency the Governor:

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, December 24, 1880.

To the President of the Senate:

SIR: I have the honor to nominate for the consideration and action of the Senate the following named gentlemen as members of the Board of Agriculture, viz.:

HIRAM A. CUTTING of Lunenburgh,
HENRY LANE of Cornwall,
EDWIN D. MASON of Richmond,
ELAM M. GOODWIN of Hartland,
MARVIN W. DAVIS of Westminster,
HENRY F. LOTHROP of Pittsford.

ROSWELL FARNHAM,

Governor.

Which was read;

Thereupon the following nominations of His Excellency the Governor, of

Hiram A. Cutting, Lunenburgh,
Henry Lane, Cornwall,
Elam M. Goodwin, Cornwall,
Marvin W. Davis, Westminster,
Henry F. Lothrop, Pittsford,

As members of the Board of Agriculture were confirmed under a suspension of the rules.

The Executive Session being dissolved, the doors of the Senate were opened.

Mr. Henry, from the Committee on the Judiciary, to which was referred a House bill entitled

H. 439. An act to prevent escapes from county jails,

Reported adversely to its passage;

Thereupon the third reading of the bill was refused.

On motion of Mr. Gleed the Senate adjourned at seven o'clock and forty minutes.

FRIDAY, DECEMBER 24TH, 1880.

Reading of Scriptures and prayer by the Chaplain.

Mr. Lane, from the General Committee, to which was referred a House bill entitled

H. 399. An act to incorporate the Dover Center Store Company,

Reported the same back to the Senate without an expression of opinion;

Thereupon the third reading of the bill was refused.

Mr. Field in the chair.

Mr. Dana offered the following resolution:

Resolved, That the thanks of the Senate are due, and are hereby cordially extended, to His Honor JOHN L. BARSTOW, for the uniform courtesy, dignity and impartiality with which he has presided over the Senate during the present session;

Which was read, and unanimously adopted by a rising vote.

A message was received from the House of Representatives by Mr. Merrill, their Assistant Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the Governor has informed the House that he has approved and signed bills originating in the House of the following titles:

H. 355. An act to incorporate the Village of Lyndonville;

H. 374. An act to provide for the appointment of receivers of consolidated lines of railroads running from adjoining States into this State;

H. 261. An act providing for the erection of wire fences to prevent obstructions of highways by snow drifts;

H. 432. An act relating to the collection of taxes;

H. 239. An act exempting certain property from taxation;

H. 267. An act to pay Elihu S. Holden the sum therein named;

H. 410. An act equalizing the costs of commitment taxed against respondents committed to the House of Correction;

H. 302. An act relating to the taxation of stock in corporations;

H. 351. An act to incorporate the Rochester Mountain Sanitarium and Health Resort Association;

Also, joint resolution granting pay to Edward Conant for services rendered.

The House have considered joint resolution from the Senate relating to the messengers,

And have adopted the same in concurrence.

Mr. Peck offered the following resolution:

Resolved, That the most hearty thanks of the Senate are hereby tendered to the Rev. EDWIN WHEELOCK for his able and faithful services as the Chaplain of the Senate;

Which was read and adopted.

The President resumed the chair.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has this day approved and signed bills originating in the Senate of the following titles, viz.:

S. 131. An act amending sections twenty-six, twenty-seven and twenty-eight of chapter one hundred and twenty-three of the General Statutes, entitled, Of the State Prison;

S. 193. An act establishing the salaries of certain State officers, and abolishing the office of State Superintendent of Agricultural Affairs;

S. 115. An act reducing the fees of county clerks;

S. 141. An act relating to commitments;

S. 214. An act relating to vacancies in the office of assistant judge of the county court;

S. 209. An act relating to the State Library;

S. 179. An act in addition to, and in amendment of, An act to

incorporate the Village of Rutland, passed November 15, 1847, and all acts in amendment thereof;

S. 183. An act to incorporate the Masonic Relief Association of Vermont;

S. 208. An act relating to payment of civil damage by vender of intoxicating liquor;

S. 225. An act to pay Lester F. Thurber the sum therein named;

S. 220. An act fixing the time for the next election of Representatives in Congress;

S. 216. An act to amend an act approved November 1, 1878, providing for the hearing of applications for pardons;

S. 148. An act in addition to number thirteen of the acts of 1876;

S. 114. An act relating to the distribution of school moneys.

EXECUTIVE SESSION.

At nine o'clock and fifty minutes, on motion of Mr. Gleed, the Senate went into Executive Session to consider a communication from His Excellency the Governor.

The President laid before the Senate the following communication from His Excellency the Governor:

STATE OF VERMONT.

EXECUTIVE CHAMBER,
MONTPELIER, December 24, 1880.

To the President of the Senate:

SIR: I have the honor to nominate for the consideration and action of the Senate,

JOHN B. MEAD of Randolph,

As a member of the Board of Agriculture.

ROSWELL FARNHAM,
Governor.

Which was read;

Thereupon the nomination of John B. Mead of Randolph as a member of the Board of Agriculture was confirmed under a suspension of the rules.

The Executive Session being dissolved, the doors of the Senate were opened.

Mr. Henry offered the following resolution:

Resolved, That the thanks of the Senate are due, and hereby tendered, to our Secretaries, CHAUNCEY W. BROWNELL, JR., and FRANK A.

DWINELL, for the faithful, efficient and courteous manner in which they have performed the duties of their office;

Which was read and adopted.

Mr. Dana offered the following resolution:

Resolved, That the President of the Senate appoint a committee of two to wait upon the Governor and inform him that the Senate has, on its part, completed the business of the present session;

Which was read and adopted.

The President appointed as the committee to wait upon His Excellency the Governor as provided in the foregoing resolution,

Senator Dana of Addison,
" Dillingham of Washington.

A message was received from the House of Representatives by Mr. Stickney, their Assistant Clerk, as follows:

MR. PRESIDENT:

The Governor has informed the House that he has approved and signed bills originating in the House of the following titles, viz.:

H. 121. An act entitled an act to pay George H. Kenniston the sum therein named;

H. 256. An act to amend section twenty-five of chapter thirty-three of the General Statues;

H. 421. An act in addition to the law relating to mechanics' liens;

H. 431. An act to protect fish in Reservoir Pond in Ludlow and Plymouth Ponds in Plymouth, on Black River.

Mr. Field offered the following resolution:

Resolved, That the thanks of the Senate are hereby extended to ROBERT ROBERTS, our reporter, for the very impartial and correct reports which he has furnished of our proceedings;

Which was read and adopted.

Mr. Dwinell offered the following resolution:

Resolved, by the Senate, That the Secretary be directed to inform the House of Representatives that the Senate, on its part, has completed the business of the session;

Which was read and adopted.

Mr. Dana moved that the Senate do now take a recess for twenty minutes;

Which was agreed to.

The recess having expired, the President resumed the chair.

Mr. Judevine offered the following resolution:

Resolved, That the thanks of the Senate are hereby tendered to Doorkeepers and Pages of the Senate for the faithfulness and efficiency with which they have performed the duties of their respective offices;

Which was read and adopted.

Mr. Start moved that the Senate take a recess until five minutes to eleven o'clock;

Which was agreed to;

The recess having expired, the President resumed the chair and, in a few well chosen words, he expressed his thanks to the Senators for the assistance they had rendered him as presiding officer of the Senate, and pleasantly referred to the kindly feeling and mutual friendship which had charcterized the conduct of Senators and officers during the session.

Mr. Dana from the committee, appointed agreeably to a resolution of the Senate, to wait upon His Excellency the Governor and inform him that the Senate had, on its part, completed the business of the present session,

Reported that they had performed the duties assigned them, and that the Governor would send his final communication to the Senate by the Secretary of Civil and Military Affairs.

A message was received from the House of Representatives by Mr. Newell, their Clerk, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the House have, on their part, completed the business of the session and are ready to adjourn without day.

A message was received from His Excellency the Governor by Mr. Thurber, Secretary of Civil and Military Affairs, as follows:

MR. PRESIDENT:

I am directed to inform the Senate that the Governor has received the communication of the Senate that they have, on their part, finished the business of the session, and that he has no further communication to make.

The President of the Senate, agreeably to a joint resolution of the two Houses, at eleven o'clock in the forenoon, declared the Senate adjourned witout day.

Attest,

C. W. BROWNELL, JR.,

Secretary of the Senate.

STATE OF VERMONT.

OFFICE OF THE SECRETARY OF THE SENATE,
December 24, 1880.

I hereby certify that the foregoing is a correct record of the biennial session of the Senate of Vermont for A. D. 1880.

C. W. BROWNELL, JR.,
Secretary of the Senate.

JOURNAL

OF THE

JOINT ASSEMBLY.

BIENNIAL SESSION, 1880.

Journal of the Joint Assembly.

IN JOINT ASSEMBLY,
October, 7, 1880, 10.45 A. M.

The Senate and House of Representatives met in Joint Assembly in the Hall of the House of Representatives in pursuance of a joint resolution, which was read by the Clerk, and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly this forenoon, at quarter before eleven, to hear the valedictory message of His Excellency the Governor.

His Honor, EBEN P. COLTON, President of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

Mr. Martin of Londonderry moved that a committee consisting of one Senator and two Representatives, be appointed to wait upon His Excellency and inform him that the two Houses are convened in Joint Assembly, and are ready to receive any communication he may be pleased to make;

Which motion was agreed to.

Thereupon, the Chair appointed Senator Dana of Addison County, Mr. Hinckley of Chelsea and Mr. Taft of Burlington as such committee.

The committee subsequently appeared within the bar of the Joint Assembly, accompanied by His Excellency the Governor, who submitted the following

MESSAGE.

Gentlemen of the Senate and House of Representatives:

You meet in an auspicious time. The State is out of debt. The expenses have been reduced in almost every direction for the last biennial term, and especially for the last year. The favorable effect of recent legislation points out the way to further improvements in our State administration. Reports will be submitted to you showing

causes of increased expense in the past, and suggesting remedies. It is the session at which amendments to the Constitution may be proposed, and these may be necessary to carry out all suggested reforms. You will have full facts upon which to act understandingly, which has not been the case at previous sessions. Your responsibilities are great, and your opportunities are correspondingly so; may your good hearts and good sense have the guiding care and aid of supreme wisdom and virtue.

Believing that the course of my predecessor in submitting a message at the close of his term is worthy of imitation, I have followed it. I have no share with you in the legislation of the session and hence it is not my part to offer general views about the policy to be pursued, but merely to speak of some matters where the record of my official action or the experience of the last two years may be of use to you. I may go too far in giving suggestions, but if so, I know that you and the people you represent will be not unkindly critics if you believe the intention was for the public good.

REVISION OF THE STATUTES.

Under the act of the last session providing for the revision of the public laws, I tendered the appointment of first commissioner to the late Governor Peck, and for some time had strong hope that he would accept and lend the State in this work the aid of his great wisdom and learning. But he decided that he did not feel equal to the task in addition to other duties which he had undertaken, and I then appointed Hon. Charles W. Willard and Hon. Wheelock G. Veazey.

Of Mr. Willard I cannot trust myself to speak impartially. A much loved classmate and friend from boyhood, my appreciation of his rare qualities might be deemed extravagant, but if I go beyond others it is because I knew him better. The revision was a great undertaking for one in his feeble health. He however undertook it cheerfully and with confidence, and I knew that whatever he did would be done with such care, system and judgment, that if he was unable to complete it, the work would not be lost, but that his discriminating taste in classification and arrangement, sound knowledge of the law, and his terse and correct use of language would guide and assist whoever might go on with it. Fortunately he was spared until the greater portion was completed, and until the whole had been gone over, so that his associate, Judge Veazey, and his son, Mr. Ashton R. Willard—who had been a valuable assistant to his father throughout—fully understood his views. Judge Veazey has completed it, employing young Mr. Willard and others to assist him. The price agreed upon for the entire work to this time was $4.000.

The consideration of this revision will be the great work of your session. It will require careful examination, but I believe as a whole the work has been exceptionally well done. Mr. Willard had no other business, and so gave his whole time and thought to it, which a man in active practice could not have done. He fully realized its

importance, and that it was the last public duty of a life which had been full of good service for his State and Country, and he made it a labor of love.

CONSTITUTIONAL AMENDMENTS.

We have within a few years made a decided advance in the right direction in rejecting special legislation, and providing for whatever is needed by general laws, where they can be made applicable. It is coming to be more and more in other states a constitutional provision to prohibit special and local legislation. Other not uncommon provisions are the prohibition of the issue of bonds, or the contracting of debts by the State or towns in aid of railroads or other improvements; that all charters granted by the Legislature must be held subject to State authority; that the Legislature cannot elect its own members to office; that the Governor may veto separate clauses of appropriation or other bills. All these are in the direction of good legislation.

We do not literally comply with the requirement of the Constitution in regard to counting votes for State officers. If the present provision is impracticable, it should be changed. The point has been made that there is an ambiguity in the provision of the Constitution in regard to the power of the Governor to grant pardons in cases of treason and murder. It is claimed by some, though without good reason, in my opinion, that the words "*but not to pardon*" in that clause of the Constitution were originally parenthetical, and that the Governor has power merely to grant reprieves until after the end of the next session of the assembly, and no power to pardon at any time in these cases. A slight change of phraseology will remedy the defect if one exists.

It has also been claimed that a reprieve destroys the force of the original warrant for the execution of the criminal, and that there is no method provided for issuing a new one. On this point, however, the better opinion is that the reprieve merely suspends the operation of the warrant until the expiration of the reprieve. I refer to these two points not because I deem them important, but they were points raised in the Phair case and you may think a change required. And in this connection I wish to call your attention to the implied requirement of the Constitution in regard to

COMMUTATION OF DEATH SENTENCES.

The Constitution provides that the Governor in capital cases "shall have power to grant reprieves but not to pardon until after the end of the next session of assembly." This implies plainly that the Legislature may act upon a case, and it is under this clause, and from the fact that the supreme power is vested in the Legislature—unless specially placed elsewhere—that the Legislature acts in commuting capital sentences. While the Constitution remains as it is, no criminal can be executed until after the session of the Legislature succeeding his sentence. This is not the proper tribunal to try such

cases. Any one who, without any experience in the matter, considers it, will be satisfied that such questions should be tried by a board accustomed to consider and weigh legal evidence; by a board small in number, and so constituted that appeals to personal sympathy on the one hand, or to prejudice or popular clamor on the other, can have little weight; and you who were members of the last Legislature must agree with me that experience strengthens this view. This is no place to try a man for his life.

There has been an unprecedented number of executions during my term. The cases have all been brought to my attention by counsel and friends. I examined them all with some care, and had an opportunity to know something of the condemned men and their crimes, of their condition of mind, of how they received the action of the courts, the Legislature and the executive; and, also, to know the views of the people. The effect of delay caused by this right of appeal to the Legislature is in every way bad. Punishment to have any restraining effect must be sure and swift, and strong enough, at least, to deter others. The long delay destroys its force, the crime is an old story, the community begin to sympathize with the prisoner, and in the end the execution of the law, which, while the memory of the crime was fresh in mind seemed fully deserved, now seems almost like a second murder.

The effect of the delay upon the condemned man himself is also bad. If he has but a short time to live after his sentence he feels its terrible force and justice; he gives his time to preparation and is in a much better frame of mind to make confession and atonement, so far as is in his power. But if he knows that he has one or two years to live he sees great opportunity—judging by the past—to get this time extended, or get his sentence commuted. He devotes himself to that end, and, of course, stoutly maintains his innocence; he knows that others no less guilty sometimes escape; he courts and enjoys the false sympathy so readily bestowed. He convinces himself that he has been wronged; grows more and more hardened and dies unrepentant.

It is not my place to recommend any board or other method in which this power of commutation should be exercised, but I am very decided in my view that the Legislature should have nothing to do with it, and that capital punishment should follow after sentence at such time as the court in its discretion may order. The law of the last session permitted the time to be shortened as far is consistent with the Constitution, but could under the Constitution only have the desired effect when the sentence was but a short time before the session.

The same board of authority which exercised the power of commutation might also exercise the pardoning power in important cases at least. The operation of the law of last session requiring publication and allowing one or more judges to be called in has been salutary. Some applicants, hearing that the notice must be published in the county where the crime was committed, have wisely decided not to face public opinion. But this law is of little force under the Constitution unless the Governor chooses to use it. We need some

provision more stable in character. Application for pardon, so far as may be, should be determined by some fixed rules and principles, applying alike to all cases.

Under our practice a pardon is granted on urgent personal appeal in one case; in another, just as deserving, but pushed with less pertinacity it is refused.

In the exercise of this power I have aimed to be careful about releasing those convicted of great crimes and have become more and more convinced that it is seldom wise to interfere with the action of the courts. I have pardoned several sentenced for lighter offenses where the term had nearly expired, and from the circumstances a pardon seemed to be a deserved encouragement to a young man, or one not a hardened offender; several on account of failing health, in all cases of importance having the approval of the judge who tried the case.

STATE PRISON.

On my visit to the prison, during the session of 1878, the lack of discipline and system was so apparent, that I decided to appoint a new superintendent at the expiration of Mr. Spencer's term, December 1st, and so informed him. During that session I tried to find a man in the State for this position, but could not find one who combined experience and all the other requisites. The affairs of the prison were in such a loose condition, both in the discipline and in the business part, that a man of experience and rare capacity was required. I was sorry to feel obliged to look outside of the State. Mr. Rice was not an applicant. His coming here was not of his own seeking, but I learned of him by inquiring among men familiar with the prison affairs of the country, and wrote Governor Connor a personal letter of inquiry, setting out the unfortunate state of affairs in our prison, and the need of more than a common man. His reply was a strong recommendation of Mr. Rice as the only man in his knowledge whom he would appoint to such a position. So far as I have able to learn, every one who has had an opportunity to know, agrees with me that Mr. Rice fully answers the recommendation. He being a stranger in the State, I feel it but simple justice to him to refer to this matter so fully.

Soon after he went into office, he found irregularities in Mr. Spencer's accounts. These were quite difficult to trace, but were faithfully investigated, and the result was that Mr. Spencer's bondsmen paid over to the State a little over $1,500, which he had received and failed to account for. I informed the State's attorney, but as the largest item was barred by the statute of limitation, he decided that it was not advisable to commence a criminal prosecution.

The construction of the new work shop and chapel at Windsor, was in charge of director Parker, whose wise and economical management in this as in all other matters connected with his administration, has been creditable to himself and of great benefit to the State. Though I might justly commend every State officer for faithful performance of duty, I am glad to make special mention of the

chairman of the prison board, Mr. Bingham, whose good sense and judgment are never at fault.

The directors of the State Prison and House of Correction think a law would be advisable, giving directors authority under some regulation, perhaps with the approval of a Judge of the Supreme Court, to transfer prisoners hereafter sentenced, from one institution to the other. This would avoid overcrowding in either, as has been the case at both places at different times within two years. One would be crowded while the other was not full. Sometimes there are other reasons for a transfer, either in the character or conduct of the prisoner; and, of course, there is the liability that by failure of contractor, fire or other accident, the prisoners might be thrown out of work at one place, when a part of them could be employed by tansfer to the other. This transfer could be made by the officers of the institution, and would entail no cost but the actual railroad fare paid out, and of course would not be made unless for the profit of the State.

TRANSPORTATION OF CONVICTS.

Persons sentenced to prison, and those sent to the House of Correction, from a shire town at least, might be transported to the prison or House of Correction by the officers of those institutions, and a large expense saved. This is the law of Maine and some other states, I believe. The cost would be merely the actual cash paid out, and commutation tickets would reduce this to a very small sum. An officer could almost always be spared long enough to go to any part of the State for prisoners. I am not able to give the amount of this expense, but it is quite large, and the subject demands attention. If the present system of fees is retained they are too high in some cases.

REFORM SCHOOL EXTENSION.

A law was passed at the last session appropriating ten thousand dollars for new buildings at the Reform School, but with a proviso "that no part of the money should be used without the consent of the Governor." The trustees in 1879 and again in 1880 voted unanimously to carry out the provisions of the act, but I felt it my duty to withhold my consent for several reasons. The number of inmates has been reduced since December 1, .1878, from 129 to less than 100 at the present time. I believe the number can be reduced to 60 certainly, and probably below fifty, with great advantage to the future welfare of the boys, as well as economy to the State. The average term for which the boys have been confined there has been gradually increasing, until it has reached a point far beyond what it ought to be.

Confining boys there for very trivial offenses for three, five, eight and even ten years, seems to me a great stride towards a parental government and an unwarranable interference with the personal rights and liberty of the subject. Besides this, in a majority of cases this long term at the school has anything but a favorable effect on the boys themselves. The experiment of congregating a large num-

ber of youthful delinquents together is now admitted by the best authorities to be a failure; nature and experience are against it. In the Westboro School in Massachusetts, there were nearly four hundred boys at one time. It was enlarged to make room for six hundred and fifty, and, as the trustees thought in 1876, was likely to be kept full: but it contaied last winter only one hundred and thirty-eight. The addition of 1876, built for two hundred, now lodges about thirty, and it was contemplated at the time of the last report to close it entirely. The reasons of this falling off have been partly the great expense and partly the fact that other methods have been found more efficacious for reform. In Massachusetts now there are a larger number of children for whom places are found in families than are in the three State Schools. Those in families are treated as wards of the State, and are visited and their condition reported.

It is a matter of sharp dispute among the best students of reformatory methods, and was debated at the last meeting of the National Conference of Charities, at Cleveland, whether the congregate system, as it is called, to which our Reform School belongs, is not a failure. It would be very unwise to invest more money in buildings until this question of whether we are on the right track or not is settled. However that may be, I feel sure of this, that it is for the welfare of the State, throwing out the question of expense entirely, and considering merely the preparation of the boys for future citizenship, to so reduce the number that the present buildings will be ample.

The plan of binding out till of age I do not consider the best one, but finding a good place for the boy for a year or more, and then if he does well leaving him some voice in the choice of the place, and in fixing the price for his labor, but still under the care and control of the State authorities; a combination of the binding out and probation systems, with as much of the latter as the case will admit of.

The Reform School should be a mere stepping-stone to the family. *That* is the proper place for childhood and youth, and if through misfortune they lose this healthy influence, the State will do them the best service by restoring it as quickly as possible. In our agricultural State, where good places are readily found, I am sure this policy will sometime be adopted to a much greater extent than heretofore. Boys cannot be fitted for the work of life within four walls, or congregated in an institution of this kind, but only by actual contact with the world, under the best influences we can throw around them.

Mr. and Mrs. Fairbank are faithful and devoted officers; it would be difficult to fill their places. I wish to say everything possible in regard to their faithful discharge of duty as they understand it. They have great enthusiasm in their work, but this very enthusiasm possibly leads the superintendent to over-rate the benefit his institution confers upon its inmates. From his stand point few boys would not be improved by a course in his school, and the longer the better. Every man in charge of a great institution of this kind likes to see

it flourish, is naturally glad to have a large number under his charge, and, of course, if they are there for a long term they learn more, and can make a better exhibition of the advantages they have received. In saying this I say nothing more of Mr. Fairbank than what could be said of almost any man in his position who had that great faith and enthusiasm in his work necessary t› success.

It does not with most boys promote manliness and strength of character. It is an unnatural and entirely artificial relation. We know that keeping a boy secluded from the ordinary relations and influences of life, even from its temptations, is not often the best way. They go out into the world with their physical strength and passion fully developed but entirely unused to the world. They have lost their pride and feel that there is a badge of degradation upon them, and are weak to resist temptation, and many of them fall readily into crime. Twelve have been in the State Prison and nineteen or twenty in the House of Correction during the last two years; and there is room for argument, at least, that a term in one of these institutions is more reformatory in effect than too long confinement in the school.

The method of arbitrary marking too, while to some extent necessary, when carried to extreme, tends to develop deceit and hypocrisy. The honest, manly boy, but with a boy's love of life and play, cannot reach the required standard so readily as the embryo "Uriah Heep," who can humbly and hyocritically adapt himself to the requirements. This may be "flat blasphemy" against the system, but it is my earnest conviction from a careful study of it as a whole, from what I have seen at the separate semi-annual examinations of the inmates, now required by the statute, and at other visits, and from the best examination I have been able to give individual cases.

Acting upon these views I have recently pardoned or remitted the fines of several boys. These had in my judgment fully satisfied all just requirements of the law. Doubtless I have erred in individual cases. It would have been better if they had been worked off by the superintendent and trustees to good places, and in the ordinary course of management. But these officers honestly differed with me, and believing that the greatest good as a whole of the boys and the State would be served by releasing them, and having examined the cases several times—which my successor could not do at present—there was no other course for me to pursue. I do not believe a greater proportion of these will find their way to prison than of those discharged under ordinary methods. Whatever the result the responsibility rests entirely with me.

An appropriation was made four years since for more sleeping room by raising the roof of the gun house. There was nothing done, but the appropriation was used for other purposes as the law allowed. That might now be done and furnish all the necessary sleeping room, and is the better method if anything is done. It would be better to have two sleeping apartments with a less number in each than to make new buildings to accommodate the whole, but I believe with proper legislation, and with an admin-

istration of the school on the plan I have suggested, with a view to help the boys to help themselves—which is the truest charity —by finding them employment as rapidly as possible and places in good homes, that the number can be reduced below fifty and no buildings required.

The suggestion of the trustees that more land should be purchased, when it can be done at a reasonable price meets with my approval. It is much better employment for the boys than the shop work. The land would be improved by their labor and ought to be no loss to the State. I do not believe it is advisable to start any system of complete manufactory because the number ought to be reduced so low that there will be little need of any work of this kind, and that the larger part of the inmates could be employed upon the land. The trustees suggest additional room for officers and guests. This is, however, much more needed at Windsor.

What is to be the future policy of the State in reference to the school is a question of great importance. The superintendent has great faith in his work and a rare faculty of impressing others with it. It is magnetic and contagious. Legislative committees are quite sure to agree with his views, though they are not always sustained by the calmer judgment of the Legislature.

In 1874 a bill (Senate bill 90) appropriated $15,000 to purchase new buildings and machinery at Waterbury and enlarge them for the manufacture of chairs. The committee reported favorably, and after earnest opposition and some restrictive amendments it passed the Senate. The House committee reported in its favor but the House refused it a third reading.

In 1876 a bill was introduced (House bill 103) for new buildings at Vergennes. The committee reported and recommended the passage of a substitute bill (House bill 332) the first section of which appropriated $25,000 for a new building for the boys' department, of sufficient capacity to accommodate two hundred boys. The second section appropriated $5,000 for a barn. The first section was stricken out in the House by a vote of 179 yeas to 25 nays, and the second section only passed.

The act of 1878 was favored by the committee but came near defeat. I refer to these bills, and especially to the one of 1876, as foreshadowing a policy which would entail an enormous expense on the State, and with no good but positive harm, as I believe.

The expenses now surpass the probable average of the prison and House of Correction combined. No officers could be more faithful in the discharge of duty than the trustees and all the officers have been. The trustees have undertaken much extra labor under the law of the last session in correspondence and other ways, and have been prompt in performing it. Our difference has been in no manner personal. It was merely that they accepted more of the policy which has hitherto prevailed in the management of the school than I could possibly subscribe to.

An item of State expense which ought to be borne in larger part by the towns is that of the Reform School. The towns now pay fifty cents per week. The trustees agree with me that it should not

be less than one dollar. I think one dollar and fifty cents would be still better, and would not any more than cover the expense. There will be many less sent under such a law, and with no bad result to the good order of the community. We have discharged some or required the towns to pay one dollar and fifty cents per week. But the people of the town know much better than the trustees can whether a boy really needs the restraint and discipline of the school, or whether he is sent to get rid of him and shift the expense on the State.

If providing him with a good home or other means is all that is required, he will not be sent to the school if the town pays the expense, and still all will be sent who ought to be, as the people of the town are the sufferers if this is not done. The present law requiring towns to pay fifty cents per week has considerably reduced commitments, but not a few improper ones are still made, and more legislation in this same direction will largely diminish the numbers with no harm to the State.

HOUSE OF CORRECTION.

Little need be added to the report of the directors in regard to this institution, first recommended by Governor Peck, and again by Governor Fairbanks, as the best remedy for the evils of the jail system. It has answered the requirement. The jails in the larger towns had become schools of vice and crime, enormously expensive to the State, and serving little purpose for punishment; none for the prevention of crime.

The expenses in 1877 exceeded $20,000, in 1880 they were less than $9,000, and the balance of $12,000 saved, may be fairly put to the credit of the House of Correction, together with the better execution of the law, as shown by the amount and of fines and costs paid for the last year $16,000 in excess of former years. The jails, in fact, exerted no restraining influence. Many of the habitual violators of the law looked forward to a winter in jail as a sure provision for that inclement season. It was no object to pay a fine; the State had practically assumed to support them in idleness for life unless the Governor interfered by pardon. The evil was increasing with great rapidity, as is proved by the increasing number of pardons granted to this class. This was the only course for the executive and it was quite as well to do it quickly, for it was no punishment to keep them there. My predecessor released 195; remitting fines amounting to $8,000.

The saving of jail expenses, and the better collection of fines will soon pay the whole cost of buildings and support. The buildings are well located and conveniently arranged, and the grounds are in good order. Mr. Simons has been the local director from the first, and has had the laboring oar in planning and erecting the buildings, in the details of equipment and organization, and, with a new institution on a new plan with inexperienced men in all departments, it has been no slight task. He is entitled to great credit for his perseverance and success. The provisions which now apply only to the

prison, of commutation of sentence for good behavior, and authorizing the superintendent to pay needy discharged convicts enough to take them home, should be extended in some form to the House of Correction.

MANAGEMENT OF STATE PRISON, HOUSE OF CORRECTION AND REFORM SCHOOL.

The law of the last session placed the State Prison and the House of Correction under one board, so arranged that at least one member should hold over. The working of that law has been very satisfatory to me, and I think it very important that the Reform School should be placed under the same board. Although the institutions differ somewhat in character, yet this difference does not apply to the duties of the directors or trustees. They have little to do with the inmates. In either case it is their business to settle the accounts, see to the purchase of supplies, make contracts for labor, expend the appropriations for new buildings, and in general supervise the business interests of the institution.

Now, one board having charge of the three institutions will be able to apply what good they find in one to the others, and will acquire during their terms in the management of the three a much better knowledge of their duties; they will have a better plan and system of administration. There has been a lamentable lack of this heretofore. There were, for example, three different methods of drawing money and settling accounts, a different one for each of these three institutions, different methods of appointing superintendents, different requirements about reports of directors and superintendents, about paying over moneys to the State Treasurer, about by-laws, about the appointment of assistants, and other differences entirely without reason.

One board of managers will look at the wants of the whole State. If buildings are needed or asked for at all of them, they can judge where they are needed the most, and their report will be some guide and help in legislation. Heretofore each board has represented the wants of its institution, and it was quite as likely to be a question of who worked the hardest, whose importunity was the greatest, as of whose needs were the greatest.

Monthly visits of three trustees to any of these institutions is a useless expense. A better plan is to have one of the board primarily responsible for each institution, visiting it once a month, or as often as need be. He feels then a personal responsibility, and will look after the details quite as well as a board of three. The whole board can meet at stated times, perhaps once a quarter. The saving in expense is considerable, as the mere pay of a board will cost from $500 to $1,000 per year, and a board having charge of all the institutions of this kind in the State, and the responsibility of the whole expense being upon them, is more likely to consider points of economy than a board having charge of but one, and who will very likely want to mark their term of service by some new building or other improvement.

In other states it has been found to bring an improved administration, and to diminish expenses, to abolish all these separate boards of charities and correction, and combine their duties in one board. One board of this kind would be likely to have a longer tenure of office, to be chosen more carefully with reference to the importance of their positions, and to acquire a better knowledge of their duties. That the Governor and Lieutenant-Governor should be ex officio members of this board is wise. They will have an interest in the success of their administration and a more direct responsibility to the people.

INSANE ASYLUM.

The institution is excellently managed, and the commissioners have discharged their duties well. The present system is an improvement on the old one, but would it not be better to give the appointment of the commissioners to the Governor by and with the advice and consent of the Senate?

Ordinarily, such appointments are left with the executive, not so much with a view of securing better appointments, but principally to avoid a disturbing element in a large deliberative body of this kind. I certainly could not have improved upon the choice of the last Legislature.

The number of the insane poor has increased rapidly since the State bore the expense. Some are sent to the asylum to relieve towns or friends of their support who are merely demented but quiet and harmless, and might be cared for elsewhere. But the superintendent must keep them, as they are technically insane. There would be fewer insane poor, fewer importations of transient insane from neighboring states, and more careful investigations of questions of legal settlement, if the towns paid the expenses.

The tables submitted by the commissioners will show you what part of this expense is borne by the State and what by towns, and I suggest a careful examination of them. It will be seen that, as a rule, the proportion paid by the State is much larger from the large than from the small towns. This, no doubt, comes from the fact that more of the transient insane find their way there, and perhaps less care is exercised in ascertaining whether they have a legal settlement —or to send them to their homes if they are from out of the State. If every town was obliged to support the transient insane thrown upon it in this way, they would be likely to take effective measures to find where they belonged; but, as it now is, they have nothing to do but to throw the burden on the State, and there is no proper guard against this being done unjustly.

We have now an ingenious device for getting up a law suit between the town and State on this question of settlement, in which the people have the privilege of paying the expense on both sides and supporting the pauper at last. Other states have systems of returning persons who become a public charge within a certain time, and require the railroads and vessels which brought them in to furnish them transportation to the place from which they took them. They

are returned to us in that way. We have no State method of guarding against these importations on the part of our neighbors, but where the towns have the bills to pay, there is no danger. The State ought not to pay any part of the expense of that class for which it now pays $1.00 per week.

In regard to the other class, the transient insane, so called, meaning those who have no legal settlement in any town in this State, it may be said that if their support fell upon the towns they would not send them to the asylum in some cases where they ought to, and that they might not be properly cared for. There should be a method by which a complaint could be entered, and the town required to do its duty. It is stated on good authority, that the insane inmates of the Massachusetts cities and towns alms-houses are well treated, and those best versed in such matters, keep the harmless insane away from the asylums. It is admitted, too, that we have gone too far in building great sanitary and reformatory institutions, and that a truer method is to separate, whether we consider the expense or the results of cure or reform.

Some will claim that humanity requires that every person of unsound mind should be sent to the asylum. This is an easy way of putting a disagreeable subject out of sight. No man can draw an exact line where reason loses sway and insanity commences. A better humanity would send to the asylum those who need special treatment or restraint—would require that all such should go, and allow none to go who would be as well cared for elsewhere, and would receive harm rather than benefit from the association. What should be done with the convict criminal insane is fully discussed in the reports of the asylum and prison officers.

COURT EXPENSES.

The report of Judge Veazey, and the suggestions of the auditor, present this matter so fully and so ably that it requires no discussion from me. I authorized an expenditure of about sixty dollars to prepare the tables submitted by him, believing that they would be of great use to you.

Fees are in some cases large, but the greater evil is in the overcharges and double charges for what is really but a single service. Judge Veazey refers to this. It is carried on to such an extent that a radical cure is required. Some of the defects of the criminal law and of the causes of the great expense attending its administration, may be illustrated by an actual case:

In October last a man was complained of and brought before a justice of the peace for violation of chapter 94 of the General Statutes. He was fined on three complaints: for selling, for keeping with intent to sell and for keeping a nuisance. The costs were the same in each case, and it is fair to presume that the same witnesses were used in all three cases, as the fees were the same; and to presume that they were not paid, but that the fees remained in the hands of the justice. The respondent was found guilty, fined and sentenced on each complaint—unless paid within twenty-four hours

—to the House of Correction to work it out. The sentences all dated from the same day, were all running at the same time, and of no more effect than one would be. He took an appeal. A fortnight later he was again complained of; found guilty of the same three offenses, and the whole process repeated. Shortly after he was fined for intoxication and appealed.

He entered none of the cases in the County Court, and the justices affirmed the judgment and sentenced him on each of the seven cases, the sentences all to date from the day of the rising of the court, all running at the same time as before. The man was committed on the seven different warrants at once, but with *seven bills of cost.* The sentences aggregated five hundred and fifty-five days but as they all commenced at the same time the longest one alone was of any force. To complete the harmony of the whole transaction, the final sentences were probably illegal, for the original ones had expired before the adjournment of court, and affirming them and fixing a later date had no effect to give them new life in the absence of a provision of the statute to that end.

This case points out most of the abuses to be remedied:

1st. That when two or more complaints are tried in one, there shall be no double costs, unless possibly for the justices' fees.

2d. That witness fees not called for within a certain time by the witness shall be returned to the treasury. The auditor suggests a method for this.

3d. That where there is more than one sentence, the second shall date from the expiration of the first.

4th. That appeals for delay merely may be checked if possible, and that sentences may be legally affirmed after appeal as of the later date.

Our plan of allowing over sixteen hundred justices of the peace, who are really town officers, to run up bills of cost against the State, with no supervision or enforced accountability, seems devised to make expense.

Various methods have been suggested to remedy the evil: that the justices should be required to make full sworn returns to the county clerk, and should not be paid costs in any case until these have been made. The Governor might be directed in commissioning justices to specify one in every town, and two or three respectively, where the town is entitled to over five or over ten justices as State trial justices, and that no other should have authority to certify bills of cost against the State. This would so reduce the number of justices who could run us in debt that they might be required to give bonds if deemed advisable, or at least be kept under supervision and required to pay over moneys in their hands. It is in the administration of the liquor law, chapter 94 of the General Statutes, that the greatest needless cost occurs. This law with the penalties now affixed, might be made a source of large income to the State if properly regulated and administered.

The expenses attending commitments to the House of Correction can be reduced. The respondent is now allowed twenty-four hours in which to pay fine and costs, and the officer is allowed ten cents an

hour for keeping him, and twenty-five cents each for three meals. If the officer is a sheriff he may commit him to the jail, and possibly draw the forty-two cents a day from the State besides.

The respondent often wishes to waive this provision of twenty-four hours delay, and be committed at once to save the extra costs he is obliged to serve out, and should be allowed to do so.

The proposed modification of the grand jury law would many times save delay in bringing criminals to trial, and the expense of keeping them in jail as well as the expense of the inquiry.

Whether the right of trial by a jury of twelve men is essential in a case where a man under this right taxes his neighbors one hundred or possibly five hundred dollars to carry on a five dollar law suit, admits of doubt.

Whether a man who discloses fully should be committed for intoxication, is questionable in my mind.

What Judge Veazey says about court auditors deserves consideration. State bills should be, as far as possible, supervised by the State Auditor, or under regulations fixed by him, and so absolutely under his control that there can be no variation. Our financial record for the past two years shows that there has been no carelessness on the part of the present auditor.

STATE TAXATION.

One great cause of the present unequal assessment of taxes is that we have a town system for levying the State tax, and each town is afraid that its neighbor will make a lower appraisal than itself, and so gain an advantage. Any measure which increases the taxes raised by the State would greatly aggravate this evil of unequal assessment as it would increase the temptation. The whole theory of our State government is based upon a township system, and we either ought to adhere to that where possible, or change it entirely and make a State system. It is a great mistake on the part of the Legislature to throw any work or expense upon the State which can properly be borne by the towns. It is the fundamental principle of our State government, that the State should assume the least possible control or burden of municipal affairs. It is the great New England idea, and ought never to be lost sight of in legislation. Our town matters are, as a rule, well managed; everything is under the eye of the tax payers, and if officers make mistakes they are sure to be called to account. There is no so good system of municipal government for a rural population known. It has attracted the attention of statesmen of foreign countries. A great writer calls our townships "miniature republics in themselves."

Sometimes town representatives seem to think that if they can vote any expense from the towns to the State, it is so much clear gain. The people must invariably suffer by this course, for it increases the expense and it is the total amount of all the taxes, not the form in which they come, that concerns them.

Our system was framed with no reference to having these burdens

borne by the State. The foundation is for a town system, and that should be changed if the superstructure is to be. We have not the proper machinery for doing the work nor checks and balances to stop mistakes and careless extravagance if we undertake it. The result is that the expense is very largely increased. I refer to some items in point by which you can see this tendency to increased expense when the State assumes it, under the heads of Insane Asylum, Reform School, criminal expense and others, and you can judge whether the cost in counterbalanced by greater benefits.

It has been proposed to provide for the State expense by levying upon the towns in proportion to their population, and allowing the town to raise money in their own way, thus avoiding the necessity of any State tax, and saving all the machinery of its collection. It does not at first seem that property is distributed in proportion to the population, so as to make this a just method, and I am not prepared to recommend it. But it is not so unequal as might at first appear, perhaps less so than our present method.

In the sparsely settled towns where there are few large tax payers there are but few poor. There is usually quite an amount of land owned by non-residents, while in the villages with some large tax payers there is also a large number who pay nothing but a poll tax, so that the average per capita in the different towns is more nearly even than might at first appear.

If the State expenses are kept at the lowest possible limit, and nothing assumed by the State which can be borne by the towns, the State tax can be kept so small that the temptation for unequal assessment will be much less than heretofore. In addition to this, some special taxes can be paid directly to the State without injustice to the towns, and if a method can be devised for raising the money necessary for State purposes without a separate tax, the evil of unequal assessment as between towns would be entirely obviated. Then the assessment in any town would be merely a question between citizens of the town in which it would be for every man's interest to look out that his neighbor paid a just portion of the tax, while now, with a large State tax, all are willing to join together in consenting to an unfair valuation, excusing it on the plea that other towns do the same and they must not be surpassed in this race for precedence in fraud.

It was my view that the savings bank tax, under the bill of the last session, should all have been paid directly to the State treasury with no provision for a division among towns. Money evades taxation more than any other property, and the fact that a town has more than its proportion of this savings bank tax is evidence that it has a large proportion of money. It is no real injustice then that a portion of this money tax should be taken from its town location and passed over directly to the State. The table presented by the inspector of finance will show you how this tax has been distributed. Let me here add that that officer's work at the last session in connection with this law, and the general law regulating savings banks and banking companies, is deserving of all praise, and makes an honorable record of sound finance. It has been a mooted question whether

the railroad tax might not be paid in the same way, but this is a matter which would require very careful examination, and I am not prepared to express an opinion.

In some states the state expenses are largely paid by a tax upon corporations, but this would work unequally in this State, as corporations are so unequally distributed, and there is no reason why a manufacturing corporation should not be taxed where its property lies in precisely the same way that an individual is, but any just method of providing for the State treasury in whole or in part by some other method than a State tax is desirable.

Two years ago I expressed the opinion that the expenses might be so reduced that a tax of twenty cents would defray them. That expression was to some extent misinterpreted. I did not mean that a tax of twenty cents would surely be enough for that session, for the expenses were largely incurred, and the necessary reductions could not take effect at once; but I did mean that expenses could without parsimony be brought down so that a tax of twenty cents, one year with another, would be ample, and that view I repeat and insist upon, and if the result cannot be reached at this session, it is in your power to make it certain that this will be the last time that this amount need be exceeded for the ordinary expenses of the State.

JUDGES OF THE SUPREME COURT.

In the fall of 1879 the Hon. Walter C. Dunton resigned his position as one of the judges of the Supreme Court, and I appointed the Hon. Wheelock G. Veazey to fill the vacancy. Possibly it was not, under the Constitution, a proper question for me to consider whether I should fill the vacancy at all or not, but the need of having seven judges having been discussed by the last Legislature, I did consider the question before making the appointment. The older judges informed me that the business of the courts would suffer seriously unless the vacancy was filled at once. It was at the beginning of the General Term of the Supreme Court, and it was of great importance that the cases should be heard, and doubtful if they could be unless the appointment was made.

Whether the amount of business has decreased since that time, I am not able to state, but a reference to the report on the causes of the increase of court expenses will show you that there has been a large increase of business since 1860. In this connection let me add, that with an intense belief in every proper economy in State expenses, it does not seem to me that the Supreme Court is the point at which to begin. Of course, if six judges can do the business *promptly* and well, the number should be reduced; but it is not true economy that they should be over-worked or greatly underpaid.

I can think of no salaries, from the Governor's through the whole list, which would not bear reduction better than the judges'. They are obliged to give their whole time and service to the State; they must be men of such character and ability as would command a good

income in their profession; as good men as the State affords. Their expenses are considerable. The authority of Vermont decisions ranks among the highest in the nation, and any action that might deter the best men from this service, would not be true economy. As the salary now is, when a good lawyer has an opportunity to go on the bench, his first consideration is, whether he can afford it or not. Does this occur in connection with any other prominent State office?

COMMON SCHOOLS.

I refer to this topic only to illustrate the point of State and town expense. The pay of town superintendents of schools comes from the State. I cannot say how much this is or what are the benefits of the present method, but have been informed that the expense is needlessly large in some cases, and improperly made so because there is no local interest or public opinion to look after it. I judge that there will be propositions to throw more of the expense of common schools upon the State. I received from the superintendent of education, in March last, a circular letter asking my opinion of the justice and advisability of a bill which was introduced in the Senate (Senate bill 272) at the last session, but which was then refused the third reading. The bill proposed to levy a State school tax of twenty-five cents on the dollar for school purposes. Of course the object is of the greatest importance, but an increase of the taxes raised by the State would greatly aggravate the present evils of our assessment, and ought not to be made unless we are prepared to go to the foundation and adapt that to bear the load.

VERMONT BENEFICIARIES IN OTHER STATES.

Our State has no home institutions for the education of children who are blind, deaf and dumb or idiotic; but it makes ample provision for those whose parents cannot provide for them at Perkins' Institution for the blind, American Asylum and Clarke Institute for deaf mutes, and the Massachusetts school for idiotic and feeble-minded youth. The present law appropriates the following amount for these purposes, to be used at the discretion of the Governor: For the deaf and dumb, $5,000; blind, $4,000; idiotic, $2,000; making a total of $11,000 per annum, available for these objects.

The total appropriation is sufficient for present needs, and more than there has yet been occasion to use. A larger proportion, however, is liable to be needed for the deaf and dumb. It might be well to provide for a total appropriation of $11,000 per annum, same as now, but allow the Governor to divide this between the deaf and dumb, blind and idiotic, as circumstances require.

The different schools containing beneficiaries from our State report them all as doing well, some considerably above the average.

DIVORCES.

I am glad to call your attention to the favorable operation of the law of the last session in restraint of divorces. For the year 1879, the first year under the new law, the number of divorces was less than two-thirds of that of 1878, and less than any year since 1865. The ratio of divorces to marriages is only one in twenty-one and five-tenths for 1879, while it was one in fourteen in 1878. This brings Vermont to the head of the New England states in this respect and I trust our legislation may be such as to at least keep us in this position.

CENTENNIAL CELEBRATION OF THE SURRENDER OF CORNWALLIS AT YORKTOWN.

An organization, formed in the first instance by the governors of the original thirteen colonies, requested all the states to join with them in appointing a committee of one from each state to make proper arrangements for the celebration of this anniversary. In accordance with this request, I appointed General, now Lieutenant-Governor, John L. Barstow as the member of the committee from this State. Congress has appropriated one hundred thousand dollars for a monument and twenty thousand dollars towards the expenses of the celebration. Gov. Barstow's report will no doubt be laid before you.

THE ONE HUNDREDTH ANNIVERSARY OF THE TREATY OF PEACE, AND THE RECOGNITION OF AMERICAN INDEPENDENCE.

Under the act of Congress providing for the celebration of this anniversary by a national exhibition in the city of New York in the year 1883, I nominated the Hon. Jacob Estey and Gen. Perley P. Pitkin, as commissioners, and the Hon. John B. Page and Colonel John B. Mead, alternate commissioners on the part of Vermont, and the President of the United States made the appointments in accordance with the provisions of the act.

THE HUNTINGTON WILL CASE.

This cause was heard on the evidence taken on commission in Vermont, New York and Michigan, and a decree made sustaining the will in every respect save as to the devise of the real estate valued at about $25,000, which is void under the old English Statute of Mortmain. The plaintiff appealed the case. On the 14th of September last, it was argued before the Court of Appeals, at Toronto. Judgment was reserved, but the solicitors are very confident that the decree will be sustained, and that the delay in the final decision arises from the importance of the case and a desire on the part of the court to have on record a carefully prepared decision, as the legal points raised are of great importance, and it is likely to be a leading case in this branch of the law. It is expected that about $150,000

will be realized to the State, the income to used for the support of schools.

MILITIA.

There is a very natural feeling, but I think a mistaken one, at every session, that a militia force maintained in time of peace is a needless expense. In my view, it is neither wise nor safe for the State to be without some force organized and equipped for service at any moment. We cannot well have a smaller force, as we now have only the unit of organization of infantry and artillery. I called them together at this time, that you might have the better opportunity to judge by personal inspection of their drill and efficiency, and to decide what the interests of the State require.

WAR HISTORY.

A joint resolution of the last session authorized and instructed me to appoint a State Historian to prepare for publication a history of the part taken by Vermont in the Rebellion. I accordingly appointed Hon. G. G Benedict. But the resolution not having been submitted to me for signature, there was no constitutional appropriation of money, and Mr. Benedict decided that he could not supply the means to push the work to completion, although willing to go on with the collection of material. The resolution, of course, pledges the faith of the State to pay him for his services and expenses. I presume my successor will present this matter to you. I refer to it to call your attention to the subject of legislation by joint resolution, of which there is more or less at every session. At the last session six other resolutions making appropriations were adopted. Three were sent to me for signature, and so have the force of law, and three were not. The practice is a pernicious one. Every legislative act ought to have the safeguards of the usual readings and reference.

RAILROAD COMMISSIONER.

This office has been of very little account for many years, except to the holder. The present commissioner has, I believe, done the very best in his power to fulfill his duty and make the office of some practical benefit to the State, but can accomplish but little as the laws now stand. We ought to have a good railroad commission and pay for it or have none. The present law is an anomaly.

IN CONCLUSION.

If what I have said seems to be in the line of criticism and of pointing out errors and defects, let it not be misunderstood. We are in the main a well regulated State. The evils that exist are oftener the consequence of too much legislation than otherwise, and

have crept in under changes, good in purpose and partially so in results, but not working as a harmonious whole.

Official corruption is almost unknown, and compared with other states we present a good record of prudence and economy. But the conditions are favorable here to surpass all our sister states. With few large towns and few waste places, with a people intelligent, honest and frugal, free from the extremes of wealth and poverty, self-reliant, homogeneous in blood and faith and character; proud of their State, lovers of their country and of law and order, search the world over and a spot cannot be found where less of the machinery of government is required. It will almost run itself. But while there is room for improvement, it is a work to which every legislator should devote himself. It is not a question of party, but of common honesty and good citizenship in which all true men should join. It is in your hands and may the Almighty bless your labors.

REDFIELD PROCTOR.

EXECUTIVE CHAMBER,
Montpelier, Oct. 6, 1880.

The Governor having concluded the reading of his communication, withdrew, and the Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
October 7, 1880, 2.30 P. M.

The Senate and House of Reprentatives met in Joint Assembly in the Hall of the House of Representatives, in pursuance of a joint resolution which was read by the Clerk and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly to-morrow afternoon at two and one-half o'clock to receive the report of the Joint Canvassing Committee appointed to canvass votes for State officers.

His Honor EBEN P. COLTON, President of Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk,

The Canvassing Committee submitted a report which was read by the Clerk and is as follows:

To the Joint Assembly now in session:

The Joint Canvassing Committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer respectfully report:

That they have attended to the duties of their trust, and find the whole number of votes cast to have been:

For Governor,	70,684
Necessary for a choice,	35,343
Of which Roswell Farnham has	47,848
Edward J. Phelps has	21,245
Madison O. Heath has	1,578
Scattering,	13
Majority for Roswell Farnham,	25,012

And agreeably to the constitutional provisions, we hereby declare Roswell Farnham, who received the major part of the votes, to be Governor of the State of Vermont for the two years next ensuing.

For Lieutenant-Governor,	70,620
Necessary for a choice,	35,311
Of which John L. Barstow has	47,860
George W. Gates has	21,177
Columbus F. Clough has	1,580
Scattering,	3
Majority for John L. Barstow,	25,100

And agreeably to the constitutional provisions, we hereby declare John L. Barstow, who received the major part of the votes, to be Lieutenant-Governor of the State of Vermont for the two years next ensuing.

For Treasurer,	70,667
Necessary for a choice,	35,334
Of which John A. Page has	47,904
James H. Williams has	21,177
Samuel H. Soule has	1,583
Scattering,	3
Majority for John A. Page,	25,141

And agreeably to the constitutional provisions, we hereby declare John A. Page, who received the major part of the votes, to be Treasurer of the State of Vermont for the two years next ensuing.

All of which is repectfully submitted.

FRED. G. FIELD,

Chairman Joint Canvassing Committee.

Montpelier, October 7, A. D. 1880.

Mr. Dartt, of Weathersfield, offered the following joint resolution:

Resolved, That a Committee of this Joint Assembly, consisting of one Senator and two members of the House of Representatives, be appointed by the President to wait on the Governor elect, inform him of his election, and that the Joint Assembly is in session and ready to receive any communication he may disposed to make;

Which read and adopted;

And thereupon the President appointed as such committee, Senator Dillingham of Washington County, Mr. Dartt of Weathersfield and Mr. Smith of Monkton.

The committee subsequently appeared within the bar of the Joint Assembly, accompanied by the Governor elect and announced that they had fulfilled the duties of their appointment, that the Governor

elect accepted the office to which had been elected, and that he then proposed to receive and subscribe to the oath of office, which oath was duly administered by the Hon. Timothy P. Redfield, one of the Judges of the Supreme Court of Vermont, and subscribed to by His Excellency.

The Governor having been presented to the Joint Assembly, proceeded to deliver the biennial

MESSAGE.

Senators and Gentlemen of the House of Representatives:

In compliance with the Constitution and the laws of the State we are assembled to consider such propositions and devise and enact such laws as may seem to us to be most for the well-being of our commonwealth. More than ordinary responsibility rests upon us now, for the reason that at this session we are to consider and act upon the report of the commissioners in relation to the revision of the entire body of the laws of the State; and you may be further called upon to propose, on the part of the Senate, and to consider, on the part of the House of Representatives, amendments to the Constitution of the State.

There is no provision in our laws, nor is it within the spirit of our institutions, that any class of men, by virtue of social or hereditary position should be our law-makers, or that any class or family should hold the offices of the State. Our law-makers and rulers are elected from the mass of the people without distinction of occupation, rank, or station in life, by the voice of the majority of the voters of the State. Certainly, with the people of Vermont, the republican is no longer an experimental form of goverment. But it has this drawback: our method necessarily brings into our legislative halls and into the various offices of the State, men unaccustomed to legislation and to a great extent inexperienced in public affairs. The biennial system tends to aggravate this evil. But I believe that our law-makers and State officers assemble and act with so sincere and honest an endeavor for the welfare of the State, and labor so earnestly for its good, that these qualities more than supply all that is wanting from lack of experience. And I trust that we are actuated by the same pure patriotism that has stirred the hearts of Vermonters, whether in their homes or in public assemblies or upon the battle-field in times past, to give their best labors or their lives even for the welfare of their beloved State, until the self-sacrificing devotion of the sons of Vermont has become proverbial throughout our entire land.

FINANCES.

I call your attention with great satisfaction to the condition of the finances of the State as shown by the report of the State Treasurer. The full report will be before you. The following brief state-

ment shows our financial condition at the close of the fiscal year ending July 31, 1880.

ASSETS.

Cash on hand and in banks	$213,840.82
Due on State tax of 1879	3,857.74
Due from savings banks—taxes	17,375.79
	$235,074.35

LIABILITIES.

Due towns—U. S. surplus fund	$11.519.96
Due on soldiers' accounts	9,438.24
Suspense account (outstanding checks)	1,743.80
Bonds due in 1876 (owner unknown)	4,000.00
Interest due on same prior to maturity	360.00
Due towns on account of savings bank tax	23,409.69
Agricultural college fund, due in 1890	135,500.00
	$185,971.69

From this statement it appears that the Treasurer has on hand and in banks, cash to the amount of $213,840.82 while the entire indebtedness of the State, including what is not due as well as what is due, amounts to but $185,971.69, so that had the Treasurer been called upon July 31, 1880, to pay every dollar of the State's indebtedness, he could have done so with the cash on hand and in banks, and still have a balance of $27,869.13. If to this sum we add the sum due from the State tax of 1879, and the taxes due from the savings banks, which the Treasurer properly counts as assets, we have a surplus above all indebtedness of $49,109.66. But the agricultural fund is not due until 1890, amounting to $135,500.00, and the United States surplus fund in the hands of the State Treasurer, amounting to $11,519 96, will not be called for at present, if ever. Adding the two last named sums to the balance of assets above mentioned, we find in the hands of the Treasurer for the present fiscal year, beginning August 1, 1880, $196,122.62.

At the close of the biennial term of 1878, based upon a calculation similar to the above, the State Treasurer had on hand available for the year 1879, $141,934.85. At the present time, as shown by the foregoing statement, he has on hand available for the current expenses of the coming year, $196,122 62; showing a balance of $54,187.77 more on hand July 31, 1880, than at the corresponding period of the year 1878. During the last two years there has been paid of outstanding State bonds $36,000, which makes the comparative financial condition of the State at the present time over $90,000 better than two years ago.

During each year there is a time when the treasury is liable to be drained before the new tax is collected. To meet this contingency

the Legislature of 1878, as they had done before, authorized the Treasurer to borrow a sum not exceeding $350,000. During the year ending August 1, 1879, the Treasurer borrowed $45,000, under the act of 1868, and $80,000 under a similar act of 1871. This temporary loan was paid during the same year. During the year ending August 2, 1880, the Treasurer borrowed, under the act of 1876, the sum of $93,000, and paid it within the year; so that none of these temporary loans are outstanding against the State,

The treasury is in a most excellent condition, as already appears, and as you will more fully realize when you examine the Treasurer's report in detail. At the beginning of the fiscal year there seemed to be a very large balance available for immediate use. That is true; but it must be borne in mind, as has already been stated, that before the next tax comes in there will be heavy drafts upon the treasury, and unless some provision is made, more than the surplus will be called for. At the present rate of interest in money centers, it seems to me not advisable for the treasury to carry so large a surplus any portion of the year. Let the taxes be enough to pay all expenses and appropriations, and authorize the Treasurer to borrow on short time such sums as he may need to bridge over the void in the treasury before the taxes come in, and then the people will not be called upon to advance enough to pay the agricultural college debt so long before it is due.

One reason why the financial condition of the State treasury is so much better than it was two years ago is, that in determining the amount of taxes to be raised during the past two years, the action of the Legislature was based upon an overestimate of the probable expenses of the two years, and a larger tax was levied than was necessary; but by far the most satisfactory reason to tax-payers will appear from the following statement made by the State Auditor, which shows that our expenses are gradually diminishing:

Auditor's orders for the biennial term ending July 31, 1878	$582,596.21
Auditor's orders for the biennial term ending July 31, 1880	569,464.67
Making a difference of	$13,131.54

in favor of the last biennial term.

But during the former term there was expended upon the House of Correction $12,144.13, while during the latter term there was expended upon the same institution $43,129.48, giving a balance of $30,985.35 expended during the last biennial term more than was expended upon the House of Correction for its erection and to put it in running order during the prior term. If we add this sum to the difference in Auditor's order between the two terms as given above ($13,131.54) we have the true comparative saving of $44,116.89.

The following figures, furnished by the Auditor, show some satisfactory changes going on in some items of expenses during the past four years.

Jail expenses have diminished as follows during that time, viz.:

Jail expenses for the year ending July 31, 1877	$20,782.42
" " " " 31, 1878	17,828.70
" " " " 31, 1879	14,304.86
" " " " 31, 1880	8,856.07

A portion of this change during the last two years may be due to the fact that some of the prisoners who formerly were sent to jail, have been during that time sent to the House of Correction. But this statement cannot apply to the first two years.

While jail expenses have gradually diminished, there has at the same time been a very gratifying increase in the amount of fines and costs paid into the treasury, as appears by the following statement made by the Auditor:

Fines and costs paid in during the year ending July 31, 1877	$14,089.23
" " " 1878	14,494.50
" " " 1879	14,551.36
" " " 1880	30,455.87

The remarkable increase for the last year named is not due to an increase of crime, but is due to some effect that the House of Correction has in prompting the payment of fines, and also to some special efforts that have been made by the Auditor and other officers for the collection of fines from the hands of justices of the peace who had themselves collected them and were withholding the money from the State.

While there has been a diminution of jail expenses and an increase in the receipts of fines and costs, there has also during the same time, been a remarkable falling off in County Clerks' orders and Court expenses.

County Clerks' orders for the year ending July 31, 1877	$83,826.85
" " " 1878	81,995.88
" " " 1879	70,231.99
" " " 1880	65,147.98

Here is a favorable change on the side of economy of more than $18,000 in the past four years.

Total expense of Courts for the year ending July 31, 1877	$113,237.12
" " " 1878	110,549.77
" " " 1879	96,560.27
" " " 1880	80,005.88

A gain for economy of more than $33,000 within the four years named. These items of "Total expense of Courts" include the County Clerks' orders for the same time.

Comparing the State expenses, as shown by the Auditor's and County Clerks' orders, we have the following figures:

State expenses for the last year of the last biennial term to July 31, 1878	$315,021.21
Same for the year ending July 31, 1880	275,409.61

Showing a change on the side of economy of more than $39,000 between the two years named, as compared with one another. These statements include all the expenses of the State for the years named, and I believe them to be a fair exposition of the saving made from year to year in State expenses.

The act of 1878 in relation to Court expenses, and that establishing the salaries of certain State officers and the pay of certain State employes, under the suggestion of my immediate predecessor, are having a salutary effect upon the expeses of the State. It is to be hoped that the present Legislature will be as vigilant in this respect as any former one has been.

INSPECTOR OF FINANCE.

In addition to the duties formerly imposed upon the Inspector of Finance, the act of 1878 requires him to report to the General Assembly the condition of the several savings banks and trust companies within the State. This duty has been very thoroughly performed by that officer, and I commend his report to your consideration.

The whole number of depositors in all the savings banks and trust companies in this State, July 1, 1880, was 34,869, an increase in number of 2,214 during the past year, and there stood to the credit of such depositors, at that date, $9,075,314.39, an increase in total amount of deposits during the past year of $996,568.58. Of this first named amount, $6,347,130.44 belong to residents of the State, the balance to non residents. During the past year interest and dividends amount to $327,908.22.

In 1878 the Legislature passed an act taxing deposits in savings banks one-half of one per cent. This tax has given an income of $50,126.04 for the year and a half that the law had been in force, up to the date of the report. Of this sum $16,602.32 come from that portion of the tax levied upon non-resident depositors, and remain in the State Treasury for the use of the State. The remainder has been distributed to towns in proportion to the deposits from the several towns—one town receiving two cents as its proportion. Would it not be better to have the whole tax go into the general fund of the State?

I desire to call your attention to several very important changes proposed by the Inspector of Finance, but have no space or time now. His very able report makes the necessity of the changes proposed clearer than I can make them appear.

TAXES.

I am satisfied that you will feel warranted, from the reports of the Treasurer and the State Auditor, in levying a tax for the support of government for the next two years, at a considerably less rate per cent than has been levied for the past two years. The rate for 1878 was thirty per cent, and for 1879 forty per cent. It would be idle for me, at this time, to name any sum, but

after the various appropriations have been made, the Treasurer or your committee will make some estimate to guide you in this important matter.

In view of the great interest that has been expressed by all parties during the late political campaign in this State, in regard to the finances of the State, and the earnest desire felt by the whole people for retrenchment in State expenses, I need not urge upon you the necessity of the utmost vigilance on your part in guarding the treasury of the State. The habits of extravagance generated by the false abundance of war times are gradually giving place to habits of economy in the household and in private business. These habits should be cultivated in the public service, and officers of the State should be held to the same strict economy that they would practice in their own affairs. But while practicing the most rigid economy, we must remember that there are some things of more value than money. True economy does not consist in refusing to appropriate money when it is needed, but in taking care that its full value be returned for every dollar that is expended.

THE REVISION ON THE LAWS.

The most important topic to which I call your attention is embraced in the above title, as it includes nearly all subjects for consideration by you. Two years ago the Legislature passed an act of which the following is the first section, viz:

"SECTION 1. The Governor is hereby authorized and directed to appoint two commissioners, whose duty it shall be to revise, re draft, compile, consolidate and arrange in methodical order, in plain and simple language, the public statutes of this State, upon the basis, plan and general form of the General Statutes, with authority to omit redundant enactments, reject superfluous words, circuitous and ambiguous phraseology, recommend amendments, and condense the whole into as concise and comprehensive form as is consistent with a full and clear expression of the will of the Legislature, and report the same to the General Assembly at its next biennial session."

Pursuant to this act, Governor Proctor appointed Hon. C. W. Willard and Hon. W. G. Veazey as commissioners to revise the laws, and they commenced at once upon their labors. Hon. W. G. Veazey, having been appointed a judge of the Supreme Court, a large part of the work of the revision devolved upon Mr. Willard. How faithfully and well he performed his share of the labor, you will learn when the voluminous work is laid before you. His labor ended only with his life. While still engaged upon this most arduous task, with a faithfulness that attended all his labors, and that has become proverbial throughout the State, this highly esteemed public servant breathed out the last remnant of a life that had long trembled in the balance, and that seemed to have been prolonged that he might so nearly complete this last work for the State he loved so well.

The report which accompanies the revision was prepared by

Judge Veazey. In that he tells you fully the plan of the work, and the reasons which actuated the commissioners in the course they pursued.

The arrangement of topics in the "Revised Laws of Vermont," as they have named the work, is much more logical than that of the General Statutes.

The commissioners have simplified and reduced to a uniformity the diverse expressions used in the General Statutes. They have so condensed what is now contained in the General Statutes in 790 pages, and in the session laws since 1862 in 1233 pages, that when printed as the General Statutes now are, it will be comprised in about 700 pages. They have not intentionally changed the substance or intent of any law.

Together with their report they offer an Appendix that consists of notes, explanatory, corrective and in recommendation of amendments. I need not take time here to call your attention to the various amendments and changes proposed. They are too numerous for the time allowed me. They are important, and will command your careful consideration. For greater convenience of reference the sections are numbered from first to last continuously or successively throughout the volume. In the Appendix the commissioners have made such recommendations of changes as seemed desirable to them, after a careful examination of the entire laws of the State. Such suggestions as they make must have great weight with you.

CONSTITUTIONAL AMENDMENTS.

Section one of article twenty-five of the amendments of the Constitution of the State, being a section of the articles of amendment adopted by the Convention held at Montpelier, June 8th, A. D. 1870, provides that at the session of the General Assembly of this State, A. D. 1880, the Senate may, by a vote of two-thirds of its members, make proposals of amendment to the Constitution of the State, which proposals of amendment, if concurred in by a majority of the members of the House of Representatives, shall be entered on the Journals of the two Houses, and referred to the General Assembly then next to be chosen, and then the section goes on to provide what is necessary to complete the amendment. This is the year and this is the session at which amendments are to be proposed by the Senate and concurred in by the House, and thus started on their way towards completion.

This is a very important duty on the part of the Senate. It rests with them to initiate every amendment to the Constitution. It is incumbent upon them neither to initiate any hasty, frivolous or illy considered amendments, nor to stand in the way of such reasonable propositions as express the true wishes of a majority of the people.

PETIT JURY.

Article twelve of the first part of the Constitution, sometimes called the Bill of Rights, provides that when any issue in fact, proper for the cognizance of a jury, is joined in a court of law, the parties have a right to trial by jury, which ought to be held sacred. This section briefly states the principle that has so long been dear to Englishmen and the English-speaking races. The right to be tried by one's peer is sacred in the eyes of all friends of liberty and justice. When this principle and this right stood as a barrier between a tyrannical government, represented by partial judges on the one hand, and a people powerless to vindicate its rights on the other, they seemed to every aspirant for freedom to be of incalculable value. The establishment of the principle in the frame of government, and the acknowledgment of the right in the practice of the courts, marked an era in the advancement of human liberty. We should not esteem the right lightly.

Yet we may bear in mind that society and government are differently constituted at this day and in this State, from what they were in England when the contest for this right first arose. Every man in Vermont is the peer of the highest judge or of the highest officer of the State, in the eyes of the law. Business and the character of suits in courts of law have changed. A large class of cases has now arisen that can much better be tried by the court alone, or by an auditor or a referee, than by a jury. Men feel no insecurity in regard to their rights when tried by the court or by the officers of court named. Many times it is only those suitors who have a doubtful case, who are anxious to tempt the hazardous lot of a trial by jury.

Not that I would cast any reflections upon jury trials, as conducted before intelligent jurors in Vermont, for I believe in the large majority of cases they do substantial justice between the parties. But it seems to me that there should be some reasonable limit fixed, not to the enjoyment of the right of trial by jury, but to the abuse of that right.

Whenever there is any possible chance of its standing as a barrier against oppression, and in every case where it is or may seem to be a bulwark to surround and protect the weak, let it be undisturbed. But it seems to me that there are certain classes of cases that can better be tried without the aid or incumbrance of a jury. Already the law denies the right of trial by jury in actions of book account and petitions for divorce. No one feels aggrieved by this. All acknowledge that the adjustment of long accounts and the details of family troubles can better be dealt with by the court or some branch of the court, than by a jury of twelve men.

Yet, even now, the suitor, by bringing his action in assumpsit, instead of in the form of action known in this State as book-account, may compel the court to grant him a jury trial upon hundreds of items of account. It is true that this does not often happen, for the reason that counsel generally advise that such suits be referred to some suitable person who really acts as auditor, although not such in name.

I am satisfied that some restriction might safely be made in this direction, more especially since the reference law adopted at the last session of the Legislature seems to be giving so general satisfaction. If no other change is made, certainly the jury fee should be so increased in the class of cases involving accounts, as to offer no inducement to suitors to call for a jury. Upon this matter I would refer you to the report upon court expenses made by the commissioners who were appointed to revise the laws.

GRAND JURY.

Whether the duties of the grand jury should not be somewhat modified, I submit to your candid consideration, without further suggestion than to again call your attention to the report just referred to. This would not necessarily be a constitutional change, but I refer to it here in connection with the changes suggested in connection with the petit jury. Some of the changes suggested in relation to the petit jury may be simply changes of the law and not of the Constitution.

THE BIENNIAL SYSTEM.

The biennial system of elections seems to have worked very satisfactorily, but there is an increasing desire on the part of gentlemen conversant with public affairs to have annual rather than biennial sessions of the Legislature. This would necessarily entail increased expense to the State. It is for you to consider whether the additional expense will be more than overbalanced by the greater advantages of annual sessions. Were the question of expense out of the way I should not hesitate to recommend a return to annual sessions of the Legislature. I should do this the more readily for the reason that I feel confident that our Legislatures express and carry out the will of the people in the result of their deliberations.

The retiring message of Governor Proctor has called attention to some important suggestions in relation to amendments that I need not further discuss.

MILITIA.

The small militia force of the State is in a very efficient condition, and at extremely slight public expense. Its admirable condition is not due to its having been fostered by the State, but to the natural military spirit of our people, and to the fact that some of the officers and soldiers who served during the Rebellion, have taken a deep interest in the single regiment and portion of a battery, which represent our entire military force. It is to be hoped that we may never again know the suffering that results from war, but a prudent government will not allow itself to be unprepared for a possible emergency, nor allow the military spirit of its people to entirely die out.

MILITARY HISTORIAN.

At its last session, the two Houses adopted a joint resolution providing for a State Military Historian, and the Governor appointed Hon. G. G. Benedict to that position, and he at once commenced his labors by collecting materials for the history. But the work of preparation was stopped by a decision of the State Auditor that the resolution, having failed to receive the Governor's signature, did not constitute such an "Act of Legislation" as would warrant payments from the treasury for the necessary expenses. The collection of the materials for the history has nevertheless gone on, and the completion of the work awaits the action of the Legislature.

I have no doubt you will adopt the necessary legislation to complete this work which, evidently, both Houses and the Governor concurred in at the last session, and which has only been delayed by the method of legislation. It would be bad faith on the part of the State not to complete the contract inaugurated by my predecessor. Had the joint resolution received the signature of the Governor, undoubtedly the Auditor would have allowed the necessary bills of expense. But appropriations ought not to be attempted by joint resolution.

THE STATE PRISON.

The directors of the State Prison, in accordance with section 2 of an act of the Legislature passed at the last session, have erected a new building for a work-shop, chapel, and other purposes. It is entirely of brick, is ninety-five feet long and thirty-two feet in width, and two stories in height, above the basement. The roof is of slate, with tin gutters and a fire proof cornice. The sum appropriated for the purpose was three thousand dollars. By availing themselves of some convict labor, the directors have been able to complete a very satisfactory building and keep within the appropriation. They have also built a double gate, which was required for safety, and this has been done within the appropriation for that purpose.

A good system of ventilation has been introduced into the new prison, and it is to be extended to the old one. Some other improvements are suggested in the report of the directors which are much needed, and for which appropriation should be made.

In examining the accounts of the late Superintendent, errors were discovered by Mr. Rice, the present Superintendent, amounting to $1,508.05, and he was directed to collect the same, which he has done and returned it to the State Treasury.

The act of Legislature last referred to, also provides for the erection of a new prison building to accommodate those prisoners who were unprovided with cells. At the time of the visit of the Legislative Committee, October 18, 1878, there were confined in the State Prison one hundred and eighty-six convicts, and there were but one hundred and fifty-six cells for their accommodation. There seemed then to be an immediate necessity for an increase of cell room; hence, the adoption of section 1, of the act referred to. But since the

House of Correction has been opened for convicts, there has been a decided falling off in the number sent to the State Prison, so that on the 31st day of July, 1880, there were but one hundred and forty-two convicts at Windsor, and the number is not likely to be large enough to fill all the cells for some time; consequently the directors have not built the additional prison building provided for by the act of 1878. This falling off in the number of convicts in the State Prison is partly due to the fact that the House of Correction now takes some of the same class of criminals that were formerly sent to the State Prison, but it is principally due to a great decrease in high crimes in the State.

HOUSE OF CORRECTION.

When the Legislature was last in session, the House of Correction was unfinished, and not ready to receive prisoners. It has since been completed, and at the time of the report of the directors (who are the same as those of the State Prison), July 31, 1880, it had been in use twenty months.

The whole number of prisoners during that time was three hundred and sixty five. The number confined at the time of the report I cannot state, but I believe it was about as many as the institution can accommodate.

The same building is also used for the purposes of the Rutland County jail. At the date of the report, there were four Rutland County prisoners.

The directors have let the convicts' labor for the finishing of marble during the term of five years from September 1, 1879, at twenty-five cents per day for each convict, up to August 1, 1880 and thirty cents thereafter. It was with difficulty that any contract at all could be made, partly on account of the short terms of many of the prisoners. Before the contract was made, the convicts were worked on the grounds, grading, building wall, &c.

The directors, in their report, say that "For the year ending August 1, 1880, the current expenses of the entire institution, including Rutland County jail, were $9,235.09. If the prisoners had been employed under the contract during the entire year, and upon the same pay as since August 1, 1880, their earnings would have amounted to $5,873.61, leaving a balance against the State for the current expenses of a year of only $3,361 48. The cost to the State of Rutland County jail, previous to the establishment of the House of Correction, exceeded that sum—the average expense being $3,500 a year, and more than that amount since 1870.

The Auditor's report, to which I have already referred, shows that the expenses of all the jails in the State for the year ending August 1, 1880, are nearly $9,000 less than for the year ending August 1, 1878. The directors in their report claim that this is mainly attributable to the establishment of the House of Correction. This is true to some extent.

But a further examination of the Auditor's account shows that the jail expenses diminished from July 31, 1877, to the same day in 1878,

$2,958.72, and this was before the House of Correction was established.

From the last date to the corresponding day in 1879, the expenses of jails fell off $3,518.84. The House of Correction was opened to receive prisoners December, 1878, so it may be supposed to have had some influence during the last year named; but we must believe that the same influences were at work in other respects in 1879 and 1880 as in 1877. If this is so, then only about one-third of the $9,000 diminution of jail expenses for the last two years is to be credited to the House of Correction. There has been a strong disposition to diminish expenses in all public departments throughout the State for more than four years, and with a good degree of success.

The directors also claim that the institution has been a very efficient collector of fines and costs, and it undoubtedly has been. They say that the State has received from that source during the past year nearly $16,000 more than was ever received before in any one year. They believe that the House of Correction will not only become self-supporting, but soon pay for itself, taking into consideration the additional incentives to the payment of fines. One very gratifying statement is, that of the $30,000 appropriated by the Legislature in 1878 for the support of the institution, the directors have drawn from the treasury only $25,219 69.

While visiting the House of Correction, I learned that sheriffs and other officers, as the law now is, draw double and treble and perhaps more fees for the single transportation and commitment of a prisoner who has been convicted of different offenses and sentenced to serve several terms. This ought to be corrected. In some instances where the officer drew treble fees, the prisoner was also serving out three sentences at the same time. If there is any uncertainty in the law in this respect, it should be made certain. There are some valuable suggestions upon this subject in the report of the Commissioners on Court Expenses.

The directors of the House of Correction recommend an enlargement of the workshop. The shop now in use was built by the directors without an appropriation therefor, and they pledged their own credit to raise the funds. The contract for the labor of the convicts could not be made available without the shop. The directors also bought a strip of land for the purpose of making a better entrance to the property, and also built a fence in front of the Superintendent's house. For all these bills there is due about six thousand dollars. They should be provided for by the necessary appropriation.

REFORM SCHOOL.

This excellent institution has been so long in existence that I need not spend time in giving any particular account of it. Two years ago the Legislature appropriated ten thousand dollars to defray the expenses of enlarging the boys' school building, subject however to the approval of the governor. The trustees, some time since, became satisfied that such enlargement should be made, principally for the

reason that they are compelled to put nearly one hundred boys into a sleeping appartment that is really adapted to only about sixty. My predecessor, however, declined to give his approval to such expenditure, for good reasons, which have appeared in his message. The trustees have stated the reasons why there should be an extension of the buildings, at full length in their report. And thus the matter stands at this time. The matter is so fully discussed in the report and message referred to, or will be in the General Assembly during the session, that I have no doubt you will be much better fitted to decide the question than any one person, and I submit that the General Assembly either repeal the act of 1878, making the appropriation, or make the appropriation absolute and unconditional.

The total expense of the school for the two years ending July 31-1880, is $39,384.25. The net earnings of the school for the same time amount to $4,953.32.

The receipts from all sources, including the earnings, amount received from towns, tuitions, produce sold, &c., amount to $13,647.11, leaving a balance to be met by orders on the State Treasury of $25,-737.14, which is $9,262.86 less than the appropriation.

The number of boys in the institution, July 31, 1878, was one hundred and twenty-two. On the same day in 1880, the number was one hundred and three. The number of girls in 1878 was twenty-three; in 1880 nineteen—showing a decrease in numbers of twenty-three. The whole number of commitments during the year has been twenty two boys and three girls. The total number of commitments during the existence of the school, has been six hundred and nineteen, ranging from six years of age to nineteen. There were committed during the last year, two of nine years of age and two of ten, and there are several of that age in the school. They all labor six hours a day and are in school four hours. On the Sabbath they attend service in the chapel, and take part in the Sabbath school. A certain portion of each day is devoted to recreation and amusement under the eye of a keeper. As I looked upon those children, eight, nine and ten years of age, busy and skillful at their labors, it seemed cruel to think that childhood to some of them is to be blotted out; that they must, every moment, live up to a strict rule without one forgiving word from a mother's lips, or one warm embrace from a mother's arms, in sickness or in health, in pain or grief. A mother's warm uneducated heart is often a better instructor than the cold machinery of a state institution.

But when we remember that many of these children have lost one or both parents, or have drunken fathers, and that most of the scholars are in there for a breach of the laws of the State, we realize that the school is a necessity, but that the pupils should be sent from it as soon as is safe for themselves and the community. The school is under excellent management, and the superintendent and his wife, the matron of the institution, are both Christian people, and deeply interested in the welfare of their pupils.

EDUCATION.

If we did our entire duty in regard to education, we might save a large share of the expense of the three institutions to which I have just called your attention. In 1878 there were sixty-eight commitments to the State Prison; of these thirty-one were natives of Vermont, and only thirteen foreigners. I use the statistics of 1878, because I have not those of 1880 at hand. In 1878 there were one hundred and eighty six convicts in the State Prison; of these seventy-two were natives of Vermont, and only thirty-nine of foreign birth. Surely we cannot charge the crimes of our State upon the uneducated foreigners who come to our shores.

The large villages and cities of the State are all well provided with schools; but many of the sparsely inhabited portions of the State have schools but a few months in a year, and those of an inferior kind. The inhabitants are so few, or are so straitened in circumstances, that they cannot support good schools. The remedy for this is to have the expense of schools fall to a greater extent upon the whole State.

The State Superintendent of Education advises the raising of a tax of twenty five cents on the dollar in addition to all other State taxes, to be used for general school purposes, one half of this fund to be divided among the towns and cities of the State in proportion to their population, and the other half in proportion to the aggregate attendance of scholars upon the public schools. This is making quite a sweeping change, and it may strike you as too much of an experiment. I would suggest that the nine per cent tax provided for in section eighty of chapter twenty-two of the General Statutes be increased considerably. This will tend to help the weaker portions of the several towns.

Our best educators tell us that we are not keeping pace with the progress of other States in our public schools. One reason for this is the lack of trained teachers. We have three Normal Schools, which have done some good work in the way of supplying teachers specially fitted for their work. But complaint is made that for the last four years not more than one-half of the teachers in our Normal Schools have themselves been either graduates or students of any Normal School whatsoever. This is said to be due to the fact that the selection of the subordinate teachers is left mainly to the principal, who is affected by personal interest or local influences in his choice of assistants. The instructors of teachers should certainly have had some drill in a Normal School before attempting to teach others. The remedy is to place the appointment of all the teachers under the charge of the State in some way. I desire to say more upon the important subject of education, but I have not seen the Superintendent's report, and can only make general suggestions.

The State Superintendent of Education has done good work, and his energy and industry are greatly to be commended, but it seems to me that if he were sustained by a competent Board of Education, selected from the leading educators of the State or from men interested in the subject of education, he would appeal to all the varied interests of this important subject with much greater force.

The text-book law, that was really so much of an experiment, has, by the help of the people working for harmony, been quite a success in most parts of the State. In many counties all of the towns have adopted the same text-books, and so far it seems to work as well as a law providing one set of text-books to be used throughout the whole State. On the other hand there are instances of union districts, made up from fractional districts in adjoining towns, that have adopted different books, thus there are two sets of books to be used by legal authority, in the same school. Some provision should be made to remedy this trouble. The report of the State Superintendent will undoubtedly be full of instruction and useful suggestions. I respectfully refer you to that for further information upon this subject.

AGRICULTURE.

This important material interest of the State can never be overlooked. It presses upon us the importance of its claims in every corner of the commonwealth. The report of the Superintendent will tell you what has been accomplished during the past two years by the instruction furnished, and the interest aroused at the meetings held by him. He has held many instructive meetings in connection with the officers and instructors of the University of Vermont and State Agricultural College, and other lecturers in all parts of the State. I am happy to be able to state that these two great branches of instruction in agriculture, the Superintendent and the University, have labored in perfect accord during the past two years. I must refer you to the report of the Superintendent for further information.

There was a time when the State had a Board of Manufactures and Mining as well as of Agriculture. When the Superintendent of Agriculture was appointed, did the State lose its interest in manufactures and mining? We have already great interests in marble and slate quarries and copper mines, and ought to have in manufactures. Something should be done to encourage manufacturing interests, and to tempt men to invest their money in such enterprises within our borders.

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The report of the trustees of this State institution always makes one satisfactory statement. Notwithstanding its income is small, its expenses are always kept within that limit. I quote a few words from the report at this time: "An institution which can year after year resist the temptation to overdraw its income, and which continues to exhibit a careful economy in its administration, makes a strong appeal for confidence and patronage both to the Legislature and to public spirited individuals. But the means of the institution are inadequate to the work which it is called upon to do. If it were required to furnish only the old-fashioned college curriculum, its present income with its present number of students might be suffi-

cient. But an institution confining itself to this narrow line of work cannot meet the demands of modern education. The University, in undertaking to fulfill the obligations incurred by the State through the acceptance of the Congressional land grant, namely, to provide a liberal and practical education which should fit men for all the pursuits and professions in life, assumed an additional amount of work which the additional income is inadequate to supply. The satisfactory balance sheet must not be suffered to disguise the fact that the higher education in Vermont is suffering, because the State University has not sufficient means to do its work as that work is done in other States. The administration of the institution can claim the credit of economy: the State at large in its dealing with the institution can claim only parsimony. The present condition of the University is such as to furnish reason for the enlargement of its means. It is free from debt; every dollar added to its funds can be devoted to the work of the future. Its financial policy is adapted to secure confidence and attract investments. The fundamental work of college instruction is already provided for; all additional means can be devoted to visible extension and improvement. The spirit of the institution has shown itself to be progressive. The fathers of the commonwealth pledged the institution to enterprise and the State to its support, when they gave it the name of a University."

The University has received some donations during the last two years of not large amount.

Henry P. Hickok of Burlington has conveyed to the University a lot of land of 350 acres in the town of Stowe, of the estimated value of $1,200.

Mrs. Celinda A. B. Lilley of Montpelier has paid into the treasury the sum of $5,000, to be available after her death and that of a relative, for the education of young women.

Rev. C. C. Parker, D. D., formerly of Waterbury, Vt., late of New Jersey, made provision before his death, for the endowment of the "Parker Scholarship," by the payment of $1,000, which sum has been paid into the treasury by his executor. Some smaller donations to the library, cabinet and laboratory, are also acknowledged.

During the year 1878–9 there were in the academical department eighty-two under graduates, and in the medical department one hundred and forty students; during the year 1879–80 there were eighty-one undergraduates and one hundred and forty-three medical students.

The number of students in all departments might easily be increased by some fostering care on the part of the State towards the child of her own creation. During the academical year of 1877–8, there were in Dartmouth College sixty academical, fourteen scientific and twenty four medical students from Vermont. A large portion of these ninety-eight students should be in some of our own colleges.

The work among the farmers, done by the University in connection with the Superintendent of Agriculture, has proved successful, as well as the Veterinary lectures of Prof. Cressey and the lectures

of Prof. Atwater, Prof. Perkins and Pres. Buckham, at the meetings throughout the State.

"It became manifest at these meetings, and increasingly so as they went on, that the work which had been done during the past ten years by the Board of Agriculture, the Superintendent of Agriculture and the University, is resulting in a great awakening of thought and quickening of the spirit of improvement all through the agricultural classes of the State."

For the results of the experiments with fertilizers, I refer you to the report of the trustees.

More than three hundred boys from one hundred and forty six towns have entered to compete for the prizes offered by the trustees of U. V. M., to those under seventeen years of age who shall, raise the largest crop of corn and potatoes on one-eighth of an acre of land. There are ten prizes from $25 to $5, and two scholarships in the University of Vermont and State Agricultural College, offered to competitors.

The report suggests that free scholarship be provided for by the State in those branches pertaining to agriculture, and I would recommend that at least as much be done in this direction as is done for the Normal Schools.

There are to be three trustees of the University of Vermont and State Agricultural College elected to fill the vacancies occasioned by the expiration of the term of those trustees whose office expires in 1881, and one to fill the vacancy occasioned by the death of Ex. Gov. Peck.

INSANE ASYLUM.

Two years ago the Legislature created the office of Supervisors of the Insane, and the gentlemen appointed to that office make their report for the past two years. They make one very important sug gestion which should receive your consideration. Some provision should be made for the convict insane. Now there is no provision by which they are separated form the ordinary insane of the asylum. Such persons ought not to be treated like the ordinary convicts of the State Prison, and yet it seems wrong to place them among the innocent insane. If not violent in their conduct and dangerous to the persons of those with whom they associate, their influence would be bad. Men may be insane, and yet not be willing to associate with criminals.

There are throughout the State a few persons violently and dangerously insane, whose friends, from mistaken motives of kindness, are unwilling to have them committed to the asylum. The Supervisors ask that they have power to commit such persons on proper proof of their condition. This is stepping upon very delicate ground. Certainly the public is entitled to be protecied from dangerous assaults so far as the law can do so, but at the same time the right of an individdal to his personal liberty must not be infringed upon for slight grounds.

The Supervisors were appointed to examine into the condition of

the insane asylums of the State, hear the grievances of the patients apart from the officers and keepers, and especially ascertain whether persons are therein confined who ought to be discharged, and report to the Governor and Legislature.

The Supervisors speak well of the asylum at Brattleboro, and say that only four patients have been discharged during the past two years by their direction under the law.

The reports of the trustees and of the Superintendent and other officers of the asylum will be before you, and from them you can learn of the condition of this very necessary institution, and will take such action as may be advisable in relation thereto.

REPORTS OF STATE OFFICERS.

In this connection I desire to say a word in relation to the reports of State officers. It is quite important that the Governor elect, as well as to retiring governor, should see all of the reports before making his message. Under the present method of printing them, immediately before the session of the Legislature, it is impossible to see them all, and difficult to give those that are seen the examination they are entitled to. Nearly all of the reports that I have seen I have borrowed from the State printer in manuscript for a short time. I would suggest that the officers be required either to have their reports printed at least three weeks before the session of the Legislature, and copies furnished the retiring and incoming Governor, or to furnish manuscript copies to both as early as the time named.

STATE LIBRARY, CABINET, AND HISTORICAL SOCIETY.

Four years ago the Legislature became satisfied that something must be done to extend the accommodations of the above named collections, and by joint resolution directed the Governor to appoint commissioners to report upon the subject at the next session. Such report was made two years ago, but the Legislature took no action upon it. I call your attention to it at this time as being a subject well worthy your consideration. Something must be done very soon, or the State will lose many valuable books and documents that cannot be replaced. If the plan proposed by the commissioners is not satisfactory, some other plan ought to be devised and acted on without further delay. Any plan will involve large expense, and each new Legislature hopes to transfer the responsibility to its successor. In the end this will prove to be very poor economy.

UNITED STATES SENATOR.

The term of service of the Hon. George F. Edmunds in the United States Senate will expire in 1881, and before another regular session of the State Legislature. Your attention is called to the necessity of electing at the present session of the Legislature a successor for the six years ensuing the expiration of his term.

RE-DISTRICTING THE STATE.

The census of the State just completed shows the population of the State, according to the report of the Supervisor for the District of Vermont, as published in the newspapers, to be 332,648, which is a gain of 2,097 since the census of 1870. Should there be a change in the representation in Congress, as is quite likely to be the case, and the proportion of the population to be represented by each member of the House of Representatives be increased, Vermont would lose one of her Representatives in Congress, and that would necessitate a re districting of the State. This probably belongs to you to provide for, as the change in the representation will undoubtedly be made before the regular session of the General Assembly in 1882.

If you should think that this matter has not been sufficiently considered by the people, the subject of re-districting might be left to the next Legislature, provided you by some proper act of legislation postpone the next election of members of Congress until the Legislature of 1882 can have acted upon the subject. In that case the action of Congress will be definitely known before any action of the State Legislature need be taken. Otherwise the action of the present Legislature must be simply provisional.

CONCLUSION.

When we look back over the history of our State for the past two years we find many causes for thankfulness. We have notably escaped the great scourges of mankind, war, pestilence and famine. We have been at peace within our borders, and the country at large has been at peace with the nations of the world; no great epidemic has swept through our State; abundance has crowned the labors of the husbandman, and rewarded the industry of the artisan. Let us meet in a devout spirit of thankfulness to the Maker of all things, and perform our responsible duties in a spirit of reverence to Him, and of strict obedience to His laws.

ROSWELL FARNHAM.

EXECUTIVE CHAMBER,
Montpelier, Vt., Oct. 7, 1880.

The Governor withdrew, and the Joint Assembly dissolved,

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
October 20, 1880, 12 M.

The Senate and House of Representatives met in Joint Assembly in the Hall of the House of Representatives, in pursuance of an act of Congress, entitled, "An act to regulate the times and manner of holding elections for Senators in Congress," approved July 25, A. D. 1866, and in conformity to a joint resolution which was read by the Clerk and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly in the Hall of the House of Representatives, at twelve o'clock, meridian, on Wednesday, the 20th day of October instant, for the purpose of completing the election of Senator of the United States, for the State of Vermont for the full term of six years from and including the 4th day of March, A. D. 1881, as required by the act of Congress, entitled, "An act regulating the times and manner of holding elections for Senators in Congress," approved July 25, 1866.

His Honor, JOHN L. BARSTOW, President of the Senate, in the Chair.

GEORGE NICHOLS, Secretary of State, Clerk.

That portion of the Journal of the Senate of October 19, 1880, relating to the election of Senator, having been read by the Secretary, Mr. Brownell, and that portion of the Journal of the House of the same date, having been read by the Clerk, Mr. Newell, and it appearing therefrom that George F. Edmunds had received a majority of all the votes cast in both Houses, he was declared duly elected, a Senator in Congress from the State of Vermont, for the full term of six years, from and including the 4th day of March, A. D. 1881.

Senator Gleed of Lamoille County offered the following resolution:

Resolved, That a committee of three be appointed by the President to inform the Hon. George F. Edmunds of his election as United States Senator and invite him to the Hall of the General Assembly;

Which was read and adopted;

Thereupon the President appointed Senator Gleed of Lamoille County, Mr. Page of Rutland and Mr. Mackenzie of Woodstock such committee.

The committee subsequently appeared within the bar of the Joint Assembly, accompanied by the Honorable Mr. Edmunds, who addressed the Joint Assembly as follows:

Mr. President, and Gentlemen of the Joint Assembly:

It is perhaps unnecessary for me to say that I have no words capable of expressing my gratitude for the confidence you have again manifested in me by your election, and my deep sense of the responsibility that you and I are aware is devolved upon me by such an election. In what I have endeavored to do for our commonwealth I have striven to exert the utmost zeal and ability that I possess, and so discharge the duties with which you and your predecessors have

entrusted me that our glorious State should not blush to say I am her son. The somewhat long experience that I have now had in public affairs, as well here in these very chambers, as in the capitol at Washington, has given me year by year a firmer confidence in the strength of republican institutions. It is now twenty-one years, I think, since we opened with imposing and patriotic ceremonies this hall in the new capitol. At that time there was universal peace in the country, although the contests of politics and the difference of opinion existed as they do now, and as probably they ought to exist in every government that is a government of the people. Since that time our country has been through one of the most momentous struggles known to history, and has triumphed, and the value and possibility of unity with freedom, such as has always been the motto of our State, have been demonstrated. And in that very struggle, as we all know, the intrinsic difficulties in the composition of the national government, which it seemed impossible to eradicate, have been overcome, and we now have a constitution dedicated to universal liberty—a constitution dedicated to the equal administration of justice everywhere among the citizens of the United States. And I may add also, as every Senator from a State should add, if he knows his duty, that we have also a National constitution dedicated to the preservation of the rights of the States, without which, as I believe and always have believed, the stability of this republic would be greatly imperiled. We have seen in these long, though seemingly short years, how important also is the value of our example in the spread of universal liberty and equal rights in other countries. We have seen that great nation, our earliest and foremost friend in the revolution, France, emerge through all the travail and turmoil of such a struggle, out of despotism up to republicanism—a republic that is modeled almost precisely upon the constitution of the United States. And we have seen the liberty that our fathers established, and that we believe in, firmly fixed and rooted in the center of the most flourishing country of Europe. And it will spread, as the liberty of this republic was born, and will be maintained, through the diffusion of universal education and intelligence, and through the personal independance of private and political thought by the different political names, men call themselves. But, gentlemen, this is not the occasion nor the time to discuss these questions further. Dinner is preparing and I will address you no longer. I will only express again the gratitude that I feel for your confidence, which I assure you that I shall try to deserve.

The Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
October 20, 1880, 2.30 P. M.

The Senate and House of Reprentatives met in Joint Assembly in the Hall of the House of Representatives, in pursuance of a joint resolution which was read by the Clerk and is as follows:

Resolved by the Senate and House of Representatives, That the Senate and House of Representatives meet in Joint Assembly at two and one-half o'clock on Wednesday afternoon, October 20th instant, to hear the report of the Joint Canvassing Committee to canvass votes for Representatives to Congress.

Hon. PHILIP K. GLEED, President *pro tempore* of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk,

The Joint Canvassing Committee submitted a report which was read by the Clerk and is as follows:

To the Joint Assembly now in session:

The Committee appointed to canvass votes for Representatives in Congress, given at the September election, 1880, having attended to their trust, respectfully report:

That they have received, sorted and counted the vote for Representatives in Congress from the several Congressional districts in the State of Vermont, and find the whole number of votes cast to have been:

In the First Congressional district:		
Whole number of votes,		22,811
Necessary for a choice,		11,406
Charles H. Joyce had	15,645	
Jean J. R. Randall had	6,771	
Carlos C. Martin had	358	
Scattering,	37	
Majority for Charles H Joyce,		8,479

And agreeably to constitutional provisions, we hereby declare Charles H. Joyce, who received the major part of the votes, to be Representative in the Congress of the United States from the First Congressional district of Vermont for the two years from and including the 4th of March, 1881.

In the Second Congressional District:		
Whole number of votes,		23,122
Necessary for a choice,		11,562
James M. Tyler had	15,960	
Daniel Campbell had	6,698	
John B. Mead had	411	
Scattering,	53	
Majority for James M. Tyler,		8,798

And agreeably to constitutional provisions, we hereby declare James M. Tyler, who received the major part of the votes, to be Representative in the Congress of the United States from the Second

Congressional district of Vermont for two years from and including the 4th day of March, 1881.

In the Third Congressional district:	
Whole number of votes,	20,288
Necessary for a choice,	10,145
William W. Grout had	12,253
John W. Currier had	6,191
Fletcher Tarble had	1,256
H. Henry Powers had	506
Scattering,	82
Majority for William W. Grout,	4,218

And agreeably to constitutional provisions, we hereby declare William W. Grout, who received the major part of the votes, to be Representative in the Congress of the United States from the Third Congressional district of Vermont for the two years from and including the 4th day of March A. D. 1881.

ALBERT DWINELL,
Chairman of the Joint Canvassing Committee.

Montpelier, Vt., October 18, 1880.

The Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY
November 11, 1880, 2.30 P. M.

The Senate and House of Representatives met in Joint Assembly in the Hall of the House of Representatives, in pursuance of a joint resolution which was read by the Clerk and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly at half-past two o'clock in the afternoon on Thursday, the 11th day of November, 1880, for the purpose of electing a chief justice and six associate judges of the Supreme Court.

His Honor, JOHN L. BARSTOW, President of the Senate in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

The Joint Assembly proceeded to the election of the officers above named:

For Chief Justice of the Supreme Court, Senator Dana of Addison County nominated John Pierpoint of Vergennes; whereupon, no other nomination being made,

JOHN PIERPOINT of Vergennes

was duly elected to that office for the term of two years from and including the first day of December, 1880, by a *viva voce* vote.

For First Assistant Judge, Senator Henry of Windsor County nominated Homer E. Royce of St Albans.

Mr. Clark of Windsor nominated James Barrett of Woodstock.

Senator Safford of Franklin County, Mr. Howe of Ludlow and Mr. Brown of Grand Isle were appointed tellers.

The ballots having been taken and examined, it appeared that

HOMER E. ROYCE of St. Albans.

had been duly elected to that office for the term of two years from and including the first day of December, 1880.

For Second Assistant Judge, Mr. Fifield of Montpelier nominated Timothy P. Redfield of Montpelier; whereupon, no other nomination being made,

TIMOTHY P. REDFIELD of Montpelier

was duly elected to that office for the term of two years from and including the first day of December, 1880, by a *viva voce* vote.

For Third Assistant Judge, Senator Blodgett of Caledonia County nominated Jonathan Ross of St. Johnsbury; whereupon, no other nomination being made,

JONATHAN ROSS of St. Johnsbury

was duly elected to that office for the term of two years from and including the first day of December, 1880, by a *viva voce* vote.

For Fourth Assistant Judge, Senator Gleason of Orange county nominated H. Henry Powers of Morristown; whereupon, no other nomination being made,

H. HENRY POWERS of Morristown

was duly elected to that office for the term of two years from and including the first day of December, 1880, by a *viva voce* vote.

For Fifth Assistant Judge, Mr. Martin of Londonderry nominated Wheelock G. Veazey of Rutland; whereupon, no other nomination being made,

WHEELOCK G. VEAZEY of Rutland

was duly elected to that office for the term of two years from and including the first day of December, 1880, by a *viva voce* vote.

For Sixth Assistant Judge, Senator Dunton of Rutland county nominated William H. Walker of Ludlow.

Mr. Colburn of Springfield moved that the Joint Assembly do adjourn till Thursday the 17th instant, at half-past two o'clock P. M.,

Pending discussion of which

Mr. Ely-Goddard of Ely moved that the Joint Assembly do now dissolve;

Which motion was disagreed to, and the question recurring upon the question of Mr. Colburn, the same was agreed to, and the Joint Assembly adjourned till Thursday the 18th instant at half-past o'clock, P. M.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Friday, November 12, 1880, 2:30, P. M.

The Senate and House of Representatives met in the Hall of the House of Representatives in pursuance of a joint resolution, which was read by the Clerk, and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly on Friday, the 12th day of November, at two and one half o'clock, P. M., to hear the report of the Joint Canvassing Committee appointed to canvass the votes for County Officers, Judges of Probate and Justices of the Peace.

His Honor, JOHN L. BARSTOW, President of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

Senator Dillingham of Washington County moved that the Joint Assembly do adjourn till Wednesday, the 17th day of November instant, at half-past two o'clock in the afternoon; and the motion was agreed to.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Wednesday, November 17, 1880, 2.30 P. M.

The Senate and House of Representatives met in the Hall of the House of Representatives, in pursuance of the adjournment of November 12, 1880, for the purpose of hearing the report of the joint canvassing committee appointed to canvass the votes for county and probate district officers.

His Honor, JOHN L. BARSTOW, President of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

Senator Dillingham of Washington County, chairman of the canvassing committee, submitted a report declaring the following named persons to be duly elected to the offices annexed to their names respectively, for the two years from and including the first day of December, A. D. 1880, which was read by the Clerk, and is as follows:

ADDISON COUNTY.

Cyrus W. Wicker, Ferrisburgh,
Henry N. Sollace, Bridport, } *Assistant Judges of County Court.*
Lyman E Knapp, Middlebury, *Judge of Probate for District of Addison.*
John D. Smith, Vergennes, *Judge of Probate for District of New Haven.*
James M. Slade, Middlebury, *State's Attorney.*
Noble F. Dunshee, Bristol, *Sheriff.*
J. Warren Barnes, Vergennes, *High Bailiff.*

JUSTICES OF THE PEACE.

ADDISON.

Rector Gage,
Henry Willmarth,
Asahel Barnes,
Stukeley W. Smith,
Charles Merrill.

BRIDPORT.

Nathan S. Bennett,
Henry N. Sollace,
Julius J. Crane,
Sheldon Smith,
Frank A. Williams,
Edward H. Merrill,
Prosper Elitharp.

BRISTOL.

Datus R. Gaige,
William E. Dunshee,
Francis D. Vinton,
Noble L. Johns,
Alfred Ferguson,
C. C. Sumner,
M. P. Varney.

CORNWALL.

Orin Field,
Isaac L. Eells,
Charles Benedict,
Harris Bingham,
Nelson B. Douglass.

FERRISBURGH.

Philo D. Percival,
John Birkett,
Jared Booth,
Allen P. Beach,
Putnam Allen,
Cyrus W. Wicker,
John Bell.

GOSHEN.

Francis Brown,
Nathan Capen,
H. Z. Churchill,
Numan Allen,
J. C. Hooker.

GRANVILLE.

E. B. Back,
L. Webb,
William C. Chaffee,
J. P. Ball,
G. V. Wilson.

HANCOCK.

E. Darling,
T. Hutchinson,
R. Flint,
H. C. Kidder,
A. E. Whitney.

LEICESTER.

Albert G. Barker,
Lewis E. Higgins,
Walter J. Thomas,
Daniel G. Henry,
George Paine.

LINCOLN.

Moses B. Gove,
Enos P. Hoag,
Stephen M. Colby,
Edmond G. Colby,

Watson Morgan,
Abel T. Morgan,
Milton J. Stearns.

MIDDLEBURY.

Lyman E. Knapp,
J. E. Stapleton,
Albert Chapman,
L. D. Eldredge,
F. A. Bond,
H. L. Sheldon,
Gasca Rich,
Allen R. Foote,
L. H. Stowe,
Lewis Russell,
M. V. B. Bronson,
D. E. Boyce.

MONKTON.

Henry D. Chaffee,
Henry R. Baldwin,
William P. Meader,
Frederic Skiff,
Hirenus P. Stilson,
Julius H. Doten,
Elijah Carl.

NEW HAVEN.

Alfred M. Roscoe,
Edson A. Doud,
Samuel P. Nash,
Charles E. Palmer,
Mills J. Landon,
William E. Brooks,
Samuel S. Wright.

ORWELL.

Gideon Abbey,
Rodney F. White,
Stephen N. Warren,
Saml. H. Bascom,
Rodney D. Hall,
Bela L. Buell,
Charles E. Bush.

PANTON.

Cyrus Smith,
Aaron Curler,
Emerson Holland,
William H. Ten Broeke,
H. F. Gaines.

RIPTON.

Cornelius Billings,
William E. Cushman,
Loren H. Baker,
William Galvin,
Wallace R. Newton.

SALISBURY.

D. E. Gibson,
William R. Ellis,
Moses S. Sheldon,
Ogden W. Dean,
William Deming.

SHOREHAM.

Thurman Brookins,
Myron Platt,
Irving B. Rich,
Clayton N. North,
William E. Rich,
Edson G. Farnham,
Franklin Moore,

STARKSBORO.

E. W. J. Hawkins,
J. Wesley Sayles,
Myron Small,
Albert Orvis,
Joseph Grinnell,
Josiah G. Fuller,
Sylvanus Hill.

VERGENNES.

George W. Grandey,
Frederick E. Woodbridge,
J. H. Lucia,
M. E. Hall,
John E. Roberts,
Cyrus A. Booth,
Myron T. Bristol.

WALTHAM.

Andrew B. Rose,
E. F. Benton,
W. W. Ward,
Solon Burroughs,
Newman Hunt.

WEYBRIDGE.

Asaph D. Hayward,
Isaac Drake,
George L. Harrington,
Samuel O. Wright,
L. Silas Wright.

WHITING.

Abel Walker,
George S. Walker,
Abram F. Ellsworth,
Freeman G. Wright,
Edward A. Casey.

BENNINGTON COUNTY.

Edward Kinsley, Bennington, } *Assistant Judges of*
Walter B. Randall, Sandgate, } *County Court.*
Edward L. Sibley, Bennington, *Judge of Probate for District of Bennington.*
Ranney Howard, Manchester, *Judge of Probate for District of Manchester.*
Joseph E. Fenn, Manchester, *State's Attorney.*
Myron Barton, Shaftsbury, *Sheriff.*
Willis S. Bentley, Sandgate, *High Bailiff.*

JUSTICES OF THE PEACE.

ARLINGTON.

C. B. Viault,
B. W. Safford,
L. M. Manley,
F. B. Davis,
C. McCollom,
C. H. Young,
Nelson Holden.

BENNINGTON.

John V. Carney,
Samuel F. Harris,
John T. Shurtleff,
Rufus B. Godfrey,
Henry J. Potter,
Thomas White,
Edward Kinsley,
Aaron F. Denio,
Edward Chandler,
George Rockwood,
John P. Harwood,
William E. Hawks,
Andrew J. Mattison,
Marshall B Murch,
Charles E. Welling.

DORSET.

H. G. Harwood,
Sherman Nichols,
Nathaniel McWain,
H. H. Holley,
J. H. Waite.
J. L. Cochran,
Austin Ladd,
Charles Baldwin,
Samuel Lambert,
Martin Sheridan.
(See special report.)

GLASTENBURY.

Elihu A. McDonald,
Norman Matteson,
German E. Harrington,
Hugh Cone,
E. F. Thomas.
(See special report.)

LANDGROVE.

W. W. Wiley,
A. Woodward,
J. H. Bolster,
W. H. Landfear,
A. D. Reynold.

MANCHESTER.

A. L. Miner,
R. W. Dean,
E. B. Smith,
John Battis,
L. D. Coy,
F. W. Cook,
H. K. Fowler.

PERU.

M. B. Lyon,
Luther Tuttle,
J. C. Lakin,
M. J. Hapgood,
Jonathan Hapgood.

POWNAL.

(See special report.)

READSBORO.

A. H. Tucker,
E. B. Fuller,
F. L. Bowen,
Asahel Gore,
S. R. Carpenter.

RUPERT.

S. H. Rising,
E. Roberts,
J. J. Jenkins,
Edward P. Sheldon,
S. Harwood,
E. Danforth,
J. G. Burton.

SANDGATE.

Walter B. Randall,
William Turner,
James M. Provau,
George H. Draper,
Levi Peck.

SEARSBURGH.

George J. Bond,
George Farrington,
L. L. Stevens,
Truman Canedy,
Willard Sumner.

SHAFTSBURY.

Myron Bartow,
Peleg A. Matteson,
David C. Wheelock,
Solomen Howard.
Norman Millington,
George P. Montgomery,
Peleg Cole,
Nathan Bottum,
Russell Stone,
Robert W. Hastings.

STAMFORD.

Charles H Crosier,
Silas W. Webster,
Bennett S. Cole,
Joan W. Millard,
Z. W. Kemp.

SUNDERLAND.

G. B. Bacon,
Elon Hill,
Chauncey Matteson,
J. M. Gregory,
Amasa Blwell.

WINHALL.

William F. Mills,
C. R. Williams,
William D. Leonard,
Jonas Hill,
Joshua Barnard.

WOODFORD.

George W. Bickford,
Ezra Crawford,
George A. Knapp,
Truman J. Mallory,
Chauncey C. Easton.

Your committee further report that the town of Dorset is entitled to ten justices of the peace, nine only are elected, and that Martin Sheridan, John C. Tuohy, Smith Hilliard, W. H. Bebee, Thomas Duffy and H. A. Williams have received the next highest, and each an equal number of votes.

Whereupon, on nomination of Mr. Whitney of Dorset, Martin Sheridan was duly elected to that office for the two years from and including the first day of December, A. D. 1880, by a *viva voce* vote.

Your committee further report that the town of Glastenbury is entitled to five justices of the peace; and that Elihu A. McDonald, Norman Matteson, German E. Harrington, Hugh Cone, E. F. Thomas and Joseph Brasett have each received an equal number of votes.

Whereupon, on nomination of Mr. Taft of Burlington, Elihu A. McDonald, Norman Matteson, German E. Harrington, Hugh Cone, and E. F. Thomas were duly elected justices of the peace, for the two years from and including the first day of December, A. D. 1880, by a *viva voce* vote.

CALEDONIA COUNTY.

Charles E. Brainerd, Danville, } *Assistant Judges of*
Elhanan W. Church, Kirby, } *County Court.*
Asa L. French, St. Johnsbury, *Judge of Probate.*
Henry C. Bates, St. Johnsbury, *State's Attorney.*
Lorenzo Sulloway, Jr., Wheelock, *Sheriff.*
Henry Blake, Hardwick, *High Bailiff.*

JUSTICES OF THE PEACE.

BARNET.
George P. Blair,
George F. Cushman,
Moses L. Duncan,
E. J. Bonett,
A. P. Gilchrist,
Lyman Stanley,
T. R. Stiles.

BURKE.
M. W. Stoddard,
Theron Bell,
David Trull,
C. W. Foster,
R. S. Pierce,
C. T. A. Humphrey,
J. S. J. Bemis.

DANVILLE.
W. J. Stanton,
J. B. Mattocks,
H. S. Cook,
M. M. Batchelder,
C. D. Brainerd,
John L. Frye,
S. H. Stone,
John Sias,
Martin Sargent,
Harvey Burbank.

GROTON.
Thomas B. Hall,
Jonathan R. Darling,
Daniel Roberts,
Peter Welch,
Horace C. Clark.

HARDWICK.
J. W. Hovey,
J. R. Ainsworth,
D. S. Chubb,
Henry Perley,
J. B. Livingston,
W. D. Bronson,
J. S. Drenan.

KIRBY.
P. H. Graves,
George W. Newhall,
George A. Leach,
D. W. Gorham,
Russell Risley.

LYNDON.
Isaac W. Sanborn,
Rufus Young,
Daniel S. Winter,
Silas H. Wetherbee,
John T. G. Cunningham,
John McGaffey,
L. W. Morey,
Charles M. Chase,
Jona A. Hunter,
Hubbard Hastings.

NEWARK.
Alvin Carroll,
O. C. Woodruff,
Alzy E. Hall,
W. C. Cheney,
D. F. Johnson.

PEACHAM.
L. Strobridge,
Loren Chase,
John Varnum, Jr.,
Ira W. Winter,
Jacob Trussell,
Fowler S. Ford,
Leonard Welch.

RYEGATE.
James White,
Alexander Cochran,
M. R. Gray,
C. W. Whitehill,
A. M. Whitelaw.
(See special report.)

SHEFFIELD.
Franklin Davis,
Asa Garland,
W. H. Chase,
Waldron Brown,
Aaron Gray.

ST. JOHNSBURY.
Walter P. Smith,
David Goodall,
Charles Cobb,
W. K. Gordon,
Quinton Cook,
Thomas Spooner,
P. D. Blodgett,
John L. Conch,
B. F. Rollins,
E. L. Hovey,
N. M. Johnson,
J. G. Hovey.

STANNARD.
John N. Sawtell,
Orra C. Cole,
Thomas J. Hood,
Andrew J. Weed,
Benjamin F. Chamberlain.

SUTTON.
Henry W. Easterbrooks,
Jacob B. Gordon,
Bradbury M. R. Willey,
Frances W. Barker,
Moses W. Noyes.

WALDEN.
Sereno Montgomery,
Harvey Foster,
Orvis Fitts,
Curtis J. Stafford,
William G. Perkins.

WATERFORD.
L. S. Freeman,
F. R. Carpenter,
E. A. Parks,
J. W. Curtis,
H. M. Parks.

WHEELOCK.
Charles Rogers,
S. A. Jones,
Jesse G. Gray,
Thomas A. Hoyt,
Joseph Patch.

Your committee further report that the town of Ryegate is entitled to five justices of the peace and that James White, Alexander

Cochran, M. R. Gray, C. W. Whitehill, A. M. Whitelaw and A. S. Moore have each received an equal number of votes.

Whereupon, on nomination of Mr. Harvey of Topsham, James White, Alexander Cochran, M. R. Gray, C. W. Whitehill and A. M. Whitelaw were duly elected justices of the peace, within and for the County of Caledonia, resident of Ryegate, for the term of two years from and including the first day of December, A. D. 1880, by a *viva voce* vote.

CHITTENDEN COUNTY.

Edgar H. Lane, Jericho, } *Assistant Judges of*
Ezra B. Andrews, Richmond, } *County Court.*
Torrey E. Wales, Burlington, *Judge of Probate.*
Marcellus A. Bingham, Essex, *State's Attorney.*
Luman A. Drew, Burlington, *Sheriff.*
Adoniram Austin, Colchester, *High Bailiff.*

JUSTICES OF THE PEACE.

BOLTON.

J. H. Smith,
R. J. Sabens,
Norman Stockwell,
John Hapgood,
John Phillips.

BURLINGTON.

Julius W. Russell,
Calvin H. Blodgett,
William H. Root,
Torrey E. Wales,
Horatio N. Drury,
Franklin J. Hendee,
Wallace H. Brink,
Joel H. Holton,
Samuel S. Watson,
Milton R. Tyler,
James B. Scully,
Henry O. Wheeler,
William H. Hare,
Hamilton S. Peck,
Edward Charles Germain.

CHARLOTTE.

D. C. Gillett,
J. M. Dean,
A. W. Sherman,
A. A. Byington,
W. W. Higbee,
D. W. Hazard,
N. W. Bradley.

COLCHESTER.

(See special report.)

ESSEX.

T. W. R. Nichols,
A. B. Halbert,
L. C. Butler,
F. C. Williams,
J. O. McKeen,
J. W. Truax,
S. A. Brownell,
Edwin Andrews,
M. L. Snyder,
Lysander Woodworth.

HINESBURGH.

J. H. Allen,
C. G. Peck,
M. F. Remington,
J. L. Rockwood,
Elmer Beecher,
Josiah S. Barker,
William J. Douglass.

HUNTINGTON.

A. E. Bates,
Noble Ross,
H. R. Norton,
C. D. Carpenter,
Chester Ross.

JERICHO.

Rollin M. Galusha,
Samuel B. Bliss,
Andrew B. Somers,
Sidney S. Thompson,
Ellery Fay,
Martin V. Willard,
Harlow N. Percival.

MILTON.

B. Fairchild,
P. A. Boothe,
S. M. St. John,
R. Flinn,
George Ashley,
John W. Brown,
Lester Rice,
A. B. Caswell,
J. W. Flinn,
E. Reynolds.

RICHMOND.

Salmon Green,
Samuel F. Cutler.
Ira W. Sayles,
Edward R. Jones,
William D. Hall,
Giles Howe,
Charles E. Green.

SHELBURNE.

R J. White,
W. A. Weed,
H. N. Newell,
James Patterson,
N. R. Miller,
James Sutton,
H. Geer.

SOUTH BURLINGTON.

John E. Smith,
John J. Van Sicklen,
Frederick Hadley,
Fred N. Drury,
Loren B. Baldwin.

ST. GEORGE.

Henry Lawrence,
Harley B. Isham,
Ira O. Lockwood,
H. H. Tilley,
Norman Isham.

UNDERHILL.

S. M. Mead,
L. Bourn,
F. Barrett,
A. Marlow,
I. N. Austin,
Thomas Shanly,
George Irish.
(See special report.)

WESTFORD.

Alney Stone,
R. M. Huntley,
Albert Weed,
A. C. Robinson,
B. F. Mars,
J. H. Macomber,
T. B. Tyler.

WILLISTON.

William Miller,
Warham N. Murray,
George A. Chapman,
George W. Whitney,
Jackson Miller,
Curtis E. Baldwin,
Hiram Watson.

Your committee further report that the town of Underhill is entitled to seven justices of the peace, six only are elected, and that George C. Dunton, George Irish and C. H. Brown have received the next highest, and each an equal number of votes.

Whereupon, on nomination of Mr. Woodworth of Underhill, George Irish was duly elected to that office for the term of two years from and including the first day of December, A. D. 1880, by a *viva voce* vote.

Your committee do also report, that at the election held in the town of Colchester, in the County of Chittenden, on the 7th day of September, A. D. 1880, some person or persons caused to be erected barriers or a partition on the sides and in front of the place where the voters deposited their ballots—behind which, the ballot boxes were placed, and the voters required to pass, to deliver their ballots to the presididg officer, and by reason of which partition or obstruction, the voters in said meeting were prevented from and deprived of the right of seeing who voted or of having the ballot boxes continually in sight of said meeting.

And they do further report that after the ballots had been taken the votes for justices of the peace only were examined and counted in said meeting and these were recounted the next day with the votes for other county officers, as hereinafter stated; that the presiding officer of said meeting, instead of sorting and counting said votes in open meeting and making a certificate of the same, as prescribed by Article 20 of the Constitution of Vermont, did take the ballot boxes and all of the votes to the town clerk's office of said Colchester, some four miles distant from the place of voting, and there locked them up, and in the afternoon of the following day sorted and counted said votes and made certificate of the same as is now required to be done on the day of election. All of which proceedings were so informal, irregular and without the sanction of law; that your committee do hereby declare the votes cast in the town of Colchester for county officers to be without effect, and the election of justices of the peace within and for said county of Chittenden, resident in said town of Colchester, to be null and void.

ESSEX COUNTY.

William Chandler, Lunenburgh, } *Assistant Judges of*
Charles A. Hutchinson, Canaan, } *County Court.*
David S. Storrs, Brighton, *Judge of Probate.*
Albro F. Nichols, Concord, *State's Attorney.*
Chester W. Schoff, Guildhall, *Sheriff.*
William M. Smith, East Haven, *High Bailiff.*

JUSTICES OF THE PEACE.

BLOOMFIELD.

William R. Perkins,
Schuyler W. Holbrook,
Hiram S. Bartlett,
Milton Cook,
Elwin Holbrook.

BRIGHTON.

Nathan Hobson,
A. H. Bonett,
Clark H. Ladd,
S. D. Hobson,
William Cheeny,
Elias A. Bemis,
J. M. Buttles.

BRUNSWICK.

David O. Rowell,
David S. Austin,
James H. Beattie,
John D. French,
Henry B. Gilbert.

CANAAN.

Hiram M. Harvey,
George W. Hartshorn,
William Morrill,
Levi R. Dean,
Levi H. Allen.

CONCORD.

William B. Crane,
W. C. Lewis,
Orren Ford,
Charles H. Tilton,
James B. Wallace,
Frank C. Grant,
L. W. Pratt.

EAST HAVEN.

Seth S. Hudson,
William H. Bailey,
Oscar T. Walter,
Noah S. Powers,
John L. Horsford.

GRANBY.

S. T. Dudley,
John P. Emery,
L. W. Jones,
G. W. Shores,
F. A. Rice.

GUILDHALL.

William H. Hartshorn,
Azro Burton,
Abner Bailey,
Putney R. Follansby,
George S. Boyce.

LEMINGTON.

John H. Jordan,
Barnard O'Neill,
Hiram S. Willey,
Arthur T. Holbrook.
Suel K. Read.

LUNENBURGH.

Daniel Powers,
Martin A. Burt,
Chester Thomas,
Franklin Bell,
Charles W. King.

MAIDSTONE.

John W. Webb,
Robert W. Gotham,
Henry A. Booth,
Augustus Drew,
John C. Stanley.

VICTORY.

Jeremiah Ingraham,
George A. Appleton,
George R. Story,
C. A. J. Shores,
William Maginnis.

FRANKLIN COUNTY.

E. H. Cleveland, Franklin, } *Assistant Judges of*
Spencer S. Bedard, St. Albans, } *County Court.*
Myron W. Bailey, St. Albans, *Judge of Probate.*
H. E. Rustedt, Richford, *State's Attorney.*
Julius Halbert, St. Albans, *Sheriff.*
John F. Draper, Sheldon, *High Bailiff.*

JUSTICES OF THE PEACE.

BAKERSFIELD.

V. A. Gilmore,
William B. Shattuck,
Ira Powers.
H. J. Armington,
C. B. Brown,
S. G. Start,
I. N. Randall.

BERKSHIRE.

James R. Stone,
Daniel Moren
Horace E. Wheeler,
Leander C Leavens,
J. C. Davis,
A. S. Thompson,
J. C. Towle.

ENOSBURGH.

Samuel H. Stevens,
John G. Jenne,
A. A. Kendall,
Olin Merrill,
W. W. Hutchinson,
W. H. McAllister,
C. F. Ovitt,
G. S. Fassett,
Daniel Woodward,
W. J. Cross.

FAIRFAX.

Moses Howard,
E. G. Rugg,
C. F. Hawley,
Jude Fairman,
H. C. McNall,
S. T. Celley,
L. D. Roberts.

FAIRFIELD.

Ormand Bradley,
Edwin C. Soule,
Nelson W. Isham,
Moses Elwood,
Daniel Leach,
J. B. Hull,
H. S. Dimon,
H. A. Soule,
O. L. Leach,
John McQueeny.

FLETCHER.

Charles B. Parsons,
Nelson W. Church,
Chauncey W. Scott,
John Kinsley,
Samuel C. Shepardson.

FRANKLIN.

Philo Horskins,
James Randall,
William T. Giddings,
Rodney S. Willard,
W. Hubbard Olmstead,
William S. Wing,
Jonathan Towle.

GEORGIA.

James Brooks,
Rufus K. Clark,
E. L. Ladd,
Hiram O. Pierce,
Henry A. Miles,
Henry H. Gorden,
C. A. Hotchkiss.

HIGHGATE.

Edwin C. Thompson,
Calvin Drury,
Henry A. Hinkly,
Allen B. Russell,
G. C. Lowell,
Judson B. Sanderson,
Albert N. Nye,
L. C. Cushman,
Alvin H. Spear,
Thomas O'Hear.

MONTGOMERY.

William H. Stiles,
Aaron Gate,
E. W. Sherman,
Carlos S. Parker,
Nelson Goodspeed,
William O. Parker,
John Goodspeed.

RICHFORD.

J. G. Powell,
Lewis Calkins,
Ira H. Farrar,
McKenzie W. Rounds,
Ami Pattee,
C. C. Manuel,
A. J. Willis.

SHELDON.

A. M. Brown,
William Deming,
Eli Demarino,
Schuyler Chadwick,
Benjamin Fish,
E. A. McLean,
B. J. Brown.

ST. ALBANS.

Daniel H. Potter,
Almerin Tinker,
Cornelius D. Rublee,
Charles Marchesault,
Patrick H. Clark,
Henry G. Morton,
Edward W. Kellogg,
Henry C. Green,
Peter Ward,
Edward Lemoy,
Foster A. Paige,
Albert D. Tenney,
James M. Foss,
Homer Brooks,
William P. Walker.

SWANTON.

W. H. Blake,
E. S. Meigs,
H. R. Wilder,
W. H. Bell,
J. J. Foster,
C. A. Crampton,
P. P. Hadley,
Amos Robinson,
Clark H. Butterfield,
W. S. Thayer.

GRAND ISLE COUNTY.

Fessenden G. Kinsley, Alburgh, } *Assistant Judges of*
Henry H. Hill, Isle La Motte, } *County Court.*
Flavius J. Hazen, North Hero, *Judge of Probate.*
Josiah Adams, Grand Isle, *State's Attorney.*
Henry W. Conro, South Hero, *Sheriff.*
Warren Clark, North Hero, *High Bailiff.*

JUSTICES OF THE PEACE.

ALBURGH.
Hiram P. Kinsley,
Phineas A. La Due,
Ichabod E. Niles,
John Carle,
George Lyman,
William N. Lewis,
Joshua Babbitt.

GRAND ISLE.
Ibie C. Mnickler,
Marcus O. Kinney,
Socrates Reynolds,
Stephen P. Gordon,
Edward Gordon.

ISLE LA MOTTE.
Henry H. Goodsell,
Harry J. Fleury,
James D. Stevens,
Seneca H. Pike,
Horace O. Hill.

NORTH HERO.
Dexter B. Town,
Charles B. Russell,
William Best,
Elisha Hibbard,
Julius M. Tatro.

SOUTH HERO.
Samuel Phelps,
Wallace P. Hall,
Gilbert Allen,
S. S. Clark,
Frank R. Landon.

LAMOILLE COUNTY.

Leander S. Small, Hyde Park, } *Assistant Judges of*
Chester W. Ward, Johnson, } *County Court.*
Russell S. Page, Hyde Park, *Judge of Probate.*
Richard F. Parker, Wolcott, *State's Attorney.*
Norris C. Raymore, Cambridge, *Sheriff.*
Newell Bigelow, Stowe, *High Bailiff.*

JUSTICES OF THE PEACE.

BELVIDERE.
A. J. Chaffee,
F. W. Davis,
N. M. Cheney,
L. H. Hulbert,
J. C. Hodgkins.

CAMBRIDGE.
L. A. Blaisdell,
Levi L. Smith,
E. R. Brush,
R. M. Blaisdell,
Henry Smilie,
Charles Prior,
William Melendy.

EDEN.
William Scott,
William G. Bassett.
Simeon Ingalls,
Edwin C. White,
Henry H. Newton.

ELMORE.
A. M. Kelly,
H. H. Churchill,
Norman Camp,
L. A. Gale,
B. F. Morse.

HYDE PARK.
A. Parker Smalley,
Calvin Campbell,
Leonard F. Allen,
Elbridge G. Sherwin,
James C. Crocker,
Franklin E. Sawyer,
George E. Mudgett.

JOHNSON.
L. M. Fullington,
W. H. Hadley,
Zachariah Whitney,
John Griswold,
F. S. Hayford,
David Holdredge,
D. S. Waterman.

MORRISTOWN.
Orlo Cady,
Jesse Thompson,
Charles P. Scribner,
Carlos S Noyes,
Haven P. Stowe,
S. S. Gile
B. L. Rand.

STOWE.
R. A. Savage,
O. W. Butler, Jr.,
O. Moody,
J. W. Smith,
A. C. Raymond,
George H. Watts,
S. Wilcox,
G. S. Wade,
H. J. Harris,
Orin Smith.

WATERVILLE.
Samuel R. Miller,
Charles Childs,
Benjamin R. Houghton,
George B. Thomas,
Z. W. A. Leach.

WOLCOTT
James A. Graves,
Christopher C. Fisher,
George E. Burnham,
Edson Slayton,
Frank J. Burnell,
Prince A. Stevens,
Bert A. Pike.

ORANGE COUNTY.

Stephen B. Darling, Ely, } *Assistant Judges of*
David F. Chapman, Tunbridge, } *County Court.*
John A. Tenney, Corinth, *Judge of Probate for District of Bradford.*
William H. Nichols, Braintree, *Judge of Probate for District of Randolph.*
Salmon B. Hebard, Chelsea, *State's Attorney.*
Alvah M. Carpenter, Corinth, *Sheriff.*
David C. Abbott, Fairlee, *High Bailiff.*

JUSTICES OF THE PEACE.

BRADFORD.
Cyrus Stearns,
Barron Hay,
E. P. Norcross,
F. R. Chamberlin,
M. O. Barber,
Henry C. McDuffee,
Warren L. Crafts.

BRAINTREE.
Horace H. Howard,
Samuel R. Batchellor,
William B. Hebard,
Marcus D. Laport,
William C. Holman,
George Hutchinson,
Henry W. Fitts.

BROOKFIELD.
Gorden P. Hibbard,
Terance Calagan,
W. Penn Bigelow,
D. W. C. Blanchard,
John Lamson,
Charles H. Bigelow,
Freeman D. Richardson.

CHELSEA.
Burnham Martin,
Lyman G. Hinckley,
Aaron Davis,
Franklin Dearborn,
Hyde Cabot,
Edward B. Stanley,
Hira L. Bixby.

CORINTH.
John M. Scribner,
George C. Cook,
Leren K. Richardson,
Charles E. Hanson,
Alonzo D. Dickey,
Rodney Richardson,
Alphens Metcalf.

FAIRLEE.
William Child,
Marshall E. Rugg,
William H. Kibbey,
William H. Bragg,
Warren E. Albee.

NEWBURY.
Ferdinand Sherwin,
Horace Dennio,
George W. Leslie,
Ross Ford,
William W. Brock,
Levi L. Tucker,
Andrew Renfrew,
Alexander M. Peach,
David B. Reid,
Leonard W. McAllister.

ORANGE.
E. G. Peake,
E. C. Camp,
Chester Dickey,
Lyman T. Mills,
William W. Wilson.

RANDOLPH.
A. A. Smith,
H. C. Soper,
C. R. Granger,
N Smith Clark,
Jacob Orcutt,
Samuel Howard,
Edson Emery,
John Buswell,
George W. Blodgett,
Charles S. Paine.

STRAFFORD.
Nathan B. Cobb,
John R. Cleaveland,
Alanson G Smit ,
Noah Powers,
George W. Harlow,
Joseph M. Quimby,
Dana K. White.

THETFORD.
H. P. Cummings,
H. F. Willoughby,
Harvey Dodge,
J. K. Blaisdell,
Samuel Fletcher,
S. G. Smith,
Asa Poor.

TOPSHAM.
O. L. Watson,
I. A. Perkins,
Ezekiel White,
Calvin Mills,
J. P. Tabor,
A. R. Beede,
Elijah Emery.

TUNBRIDGE.
Elizur F. Howe,
James M. Whitney,
J. Spencer Hackett,
William B. Wills,
Daniel Noyes,
Stephen Noyes,
John L. Hall.

ELY.
Richard W. Barrett,
E. Ely-Goddard,
Joseph H. Gilman,
John A. Robinson,
John H. Gillman,
George J. Fitts,
Benjamin F. Fuller.
(See special report.)

WASHINGTON.
T. G. White,
George E. Huntington,
Plyman Seaver,
F E S. Abbott,
John A. Stanley,
Levi Grant,
J. D. Bartlett.

WEST FAIRLEE.
Alvah Bean,
John G. Eastman,
George L. Church,
Ebenezer West,
F. V. Churchill.

WILLIAMSTOWN.
John Lynde,
J. M. Palmer.
Presby Hopkins,
C. U. Lathrop,
J. F. Bailey,
H. D. Abbott,
David M. Smith.

Your committee further report that the town of Ely is entitled to seven justices of the peace, five only are elected, and that George J.

Fitts, Ethan Dimond and Benjamin F. Fuller have received the next highest, and each an equal number of votes.

Whereupon, on nomination of Mr. Ely Goddard of Ely, George J. Fitts and Benjamin F. Fuller were duly elected to that office for the term of two years from and including the first day of December, A. D. 1880, by a *viva voce* vote.

ORLEANS COUNTY.

Nathaniel C. Hoyt, Westfield, } *Assistant Judges of*
Sidney R. Fletcher, Holland, } *County Court.*
Laforrest H. Thompson, Irasburgh, *Judge of Probate.*
Frederick W. Baldwin, Barton, *State's Attorney.*
Abner G. Bowley, Newport, *Sheriff.*
Enoch C. Powell, Albany, *High Bailiff.*

JUSTICES OF THE PEACE.

ALBANY.

T. B. Johnson,
A. B. Sargent,
B. N. Moore,
L. P. Tenney,
William Chamberlain,
J. E. Chamberlain,
William Williams.

BARTON.

J. L. Woodman,
A. D. Mathews,
B. Mossman,
Job Guild,
E. Barnard,
C. G. Drown,
Wallace I. Robinson.

BROWNINGTON.

J. C. Bartlett,
S. S. Tinkham,
Charles Wheeler,
E. Foster,
Robert Alexander.

CHARLESTON

M. M. Melvin,
S. C. Streeter,
William E. Clark,
J. C. Oliver.
E. W. Parlin,
T. L. Dolloff,
B. D. Clark.

COVENTRY.

Isaac Parker,
Warren Mitchell,
Joseph S. Kidder,
Frank C. Williams,
Erastus Wright.

CRAFTSBURY.

A. P. Dutton,
Adam White,
Henry Douglass,
R. M. Lyon,
C. G. Doty,
N. H. Kinney,
William P. Keizer.

DERBY.

Horace D. Holmes,
Asa B. Nelson,
Calvin Wilcox,
Elwyn J. Tinker,
Timothy Holt,
William S. Robbins,
George R. Colby,
Elisha Lane,
Peter S. Robinson,
Ira A. Adams.

GLOVER.

Silas King,
M. L. Gilman,
A. P. Bean,
E. O. Randall,
T. J. Fayer,
Emery Cook,
H. S. Chapin.

GREENSBORO.

J. M. Lindsay,
W. W. Goss,
A. P. Folsom,
H. L. Tolman,
N. B. Paine,
Alexander McLarren,
S. Ingalls.

HOLLAND.

Leander C. Heath,
Henry B. Bates,
Amon R. Moulton,
Josiah C. Robinson,
Lemuel R. Tabor.

IRASBURGH.

S. H. Howard,
E. P. Church,
B. B. Jackman,
Harlow Foss,
John L. Dodge,
F. B. Fullington,
W. D. Post.

JAY.

H. D. Chamberlain,
J. O. Sargent,
E. W. Noble,

T. J. Wetherell,
E. H. Wright.

LOWELL.

Amasa Paine,
Edward Stephenson,
Albert Fletcher,
Charles C. Tillotson,
Legh R. Wellman.
(See special report.)

MORGAN.

M. Whitehill,
B. Bartlett,
D. A. Currier,
C. S. Albee,
I. C. Taylor.

NEWPORT.

Kendrick Richmond,
C. L. Erwin,
Peter Cornal,
Moses G. Sargent,
Lewis F. Peabody,
Harrison Wright,
M. B. Hall,
Convers C. Goodrich,
George R. Lane,
H. S. Rogers.

SALEM.

W. H. Kinsley,
J. M. Grow, Jr.,
S. M. Worthley,
Porter Lyon,
G. N. Severance.

TROY.

Orson Miller,
Orrin Porter,
Hiram A. Johnson.
William R. Elkins,
James Conant,
Azro B. Chamberlain,
Willard Farman.

WESTFIELD.

E. H. Miller,
Timothy Deblois,
A. C. Hitchcock,
Silas Hill,
O. S. Milller.

WESTMORE.

J. C. Orne,
Calvin Gibson,
E. P. Spencer,
A. B. Smith,
Charles Fogg.
(See special report.)

Your committee further report that the town of Lowell is entitled to five justices of the peace; four only are elected, and that Legh R. Wellman, Freeman Farman and Simonds F. Phelps have received the next highest, and each an equal number of votes.

Whereupon, on nomination of Senator Brown of Orleans county, Legh R. Wellman was duly elected to that office for the term of two years from and including the first day of December, A. D. 1880, by a *viva voce* vote.

Your committee further report that the town of Westmore is entitled to five justices of the peace; and that J. C. Orne, Calvin Gibson, E. P. Spencer, A. B. Smith, Charles Fogg and Rufus Averill have each received an equal number of votes.

Whereupon, on nomination of Mr. Grout of Newport, J. C. Orne, Calvin Gibson, E. P. Spencer, A. B. Smith and Charles Fogg were duly elected justices of the peace, for the term of two years from and including the first day of December, A. D. 1880, by a *viva voce* vote.

RUTLAND COUNTY.

Martin C. Rice, Benson,
Daniel W. Taylor, Sherburne, } *Assistant Judges of County Court.*

Jerome B. Bromley, Castleton, *Judge of Probate for District of Fair Haven.*

Thomas C. Robbins, Rutland, *Judge of Probate for District of Rutland.*

John Howe, Castleton, *State's Attorney.*

Daniel P. Peabody, Pittsford, *Sheriff.*

John C. Williams, Danby, *High Bailiff.*

JUSTICES OF THE PEACE.

BENSON.

Daniel Crofoot,
Franklin W. Walker,
L. Howard Kellogg,
Oscar H. Bump,
Martin C. Rice,
Rollin E. Brown,
Almon J. Gibbs.

BRANDON.

Ebenezer J. Ormsbee,
Lewis J. Fortier,
H. H. Merritt,
L. Melvin Baker,
D. N. Peck,
Fred H. Farrington,
Norman H. Eddy,
Shubal R. Stickney,
Samuel E. Segar,
Cornelius H Forbes,
Austin Blanchard,
Ozro Meacham.

CASTLETON.

C. S. Rumsey,
Pitt W. Hyde,
Lafayette W. Preston,
John H. Langdon,
Martin D. Cole,
Leon B. Smith,
Johnson S. Benedict,
Richard M. Phillips,
Edwin A. Brien,
R H. Downes,
C. E. Ransom,
S. L. Hazard, Jr.

CHITTENDEN.

Orick Sprague,
Danford Brown,
Lewis J. Winslow,
Richardson O. Dow,
Charles R. Holden.

CLARENDON.

Hiram B. Spafford,
Leonard F. Croft,
Hannibal Hodges,
William W. Walker,
Joseph H. Chapman,
John C. Calvin,
Aaron Aldrich.

DANBY.

Ira H. Vail,
J. N. Phillips,
William Otis,
J. S. Parris,
C. H. Congdon,
E. J. Reed,
E. Kelley.

FAIR HAVEN.

Z. C. Ellis,
Simeon Allen,
E. H. Phelps,
Evan E. Lloyd,
Seth Thompson,
A. N. Adams,
John G. Pitkin,
John S. Jones,
George M. Fuller,
Frederick Bustedt.

HUBBARDTON.

E. J. Ganson,
S. M. Dikeman,
S. J. Bradley,
Samuel W. St. John,
A. S. Kilburn.

IRA.

Smith Johnson,
Simon L. Pock,
Bradley Fish,
Amos Wetmore,
Harry Collins.

MENDON.

Reuben Range,
Orel Cook,
Ezra Edson,
Wallace J. Merdock,
R bert Mageen.

MIDDLETOWN.

Lucius Copeland,
Evelyn P. Seamans,
Crocker J. Clift,
Roswell Buel,
Otis Winn.

MT. HOLLY.

Alfred Crowley,
Windsor Newton,
M. J. Holden,
John Crowley,
Benjamin F. Parmenter,
M. D. Harrington,
S. D. Graves.

MT. TABOR.

S. P. Howe,
N. E. Nichols,
D. C. Risdon,
E. B. Bond,
James Johnston.

PAWLET.

Leonard Johnson,
Merritt C. Hulett,
Joshua Hulett,
George B. Loomis,
Joseph B. Safford,
John Orr,
George W. Knights,

PITTSFIELD.

Lyman Gibbs,
Albert Vose,
T. L. Parmenter,
J. H. Pinney,
J. G. Allen.

PITTSFORD.

Thomas D. Hall,
Charles Hitchcock,
Henry F. Lothrop,
David T. Holden,
Willard Edson,
William E. Hall,
A. C. Randall,
Allen Mills,
Ebenezer H. Drury,
Charles L. Penfield.

POULTNEY.

John B. Beaman,
Barnes Frisbie,
Fred S. Platt,
Edward S. Miller.
William H. Rowland,
Cathbert C. Farwell,
Ira M. Clark,
Frederick Ruggles,
Asa J. Rogers,
Robert J. Humphrey.

RUTLAND.

R. R. Mead,
W. C. Landon,
John McNamara,
S. W. Mead,
M. G. Evarts,
Wayne Bailey,
Charles H. Sheldon,
A. J. Mead,
R. C. Thrall,
E. P. Gilson
Newman Weeks,
Jas. D. Butler,
H. B. Woodbury,
Jos. L. Paton,
Henry Hayward.

SHERBURNE.

John Johnson,
Alonzo T. Estabrooks,
Isaac A. Morse,
Amos H. Cooledge,
Oren W. Bates.

SHREWSBURY.

N. J. Aldrich,
Amos Pratt,
D. B. Jones,
A. W. Aldrich,
H. W. Wilcox,
W. F. Morse,
Carroll C. Holden.

SUDBURY.

William P. J. Hyde,
Dighton C. Ketcham,
Chauncey E. Hewitt,
Wallace J. Sawyer,
Solon Bresee.

TINMOUTH.

J. H. Round,
George Capron,
Cyrus Cramton,
Levi Rice,
J. P. Grover.

WALLINGFORD.

Clark Bull,
Samuel E. Rogers,
Seward J. Ainsworth,
Francis Hoadley,
Charles O. Stafford,
Oscar M. Eddy,
Joseph Doty,
William H. Congdon,
Isaac R. Fuller,
Gilbert E. Johnson.

WELLS.

Hiram Francis,
Wallace Goodspeed,
Henry McFadden,
Martin Parks,
Marcellus Francis.

WEST HAVEN.

Rodney C. Abell,
William Jackway,
Rollin Hitchcock,
T. Gilbert Hunt,
Walter C. Brockway,

WASHINGTON COUNTY.

James A. Coburn, East Montpelier, } *Assistant Judges of*
Jonathan H. Hastings, Waitsfield, } *County Court.*
Harvey Tilden, Barre, *Judge of Probate.*
Clarence H. Pitkin, Montpelier, *State's Attorney.*
John L. Tuttle, Montpelier, *Sheriff.*
David T. Averill, Northfield, *High Bailiff.*

JUSTICES OF THE PEACE.

BARRE.
George W. Tilden,
Eli Holden,
Oramel H. Reed,
Warren C. Nye,
Rodney E. Patterson,
Harace Fifield,
D. Brooks Wheelock.

BERLIN.
M. W. Wheelock,
A. N. Pearsons,
S. F. Nye,
L. Black,
S. W. Benjamin,
N. D. Sawyer,
A. L. Hewitt,

CABOT.
M. P. Wallace,
T. H. Lance,
J. M. Fisher,
N. K. Abbott,
R. B. Bruce,
G. W. Paine,
Bemis Pike.

CALAIS.
Ira S. Dwinell,
Walter P. Slayton,
Harry A. Morse,
Shubael B. Fair,
Charles H. French,
Orson Putnam,
Willie W. Ainsworth.

DUXBURY.
Isaiah Huntley,
James Crossett,
E. W. Huntley,
Park Avery,
W. R. Strickland.

EAST MONTPELIER.
Truman C. Kelton,
Luther M. Parmenter,
George G. Nye,
Squire Bailey,
Edward W. Ormsbee,
Benjamin I. Wheeler,
George H. Dix.

FAYSTON.
Samuel J. Dana,
Dorric S. Stoddard,
Stephen Johnson,
Dan Boyce,
Nathan Boyce.

MARSHFIELD.
Daniel R. Loveland,
Arthur Colburn,
George W. English,
Mervin Roberts,
Taylor O. Parker,
Herman E. Cutler,
Charles H. Newton.

MIDDLESEX.
Don P. Carpenter,
Algernon S. Nelson,
Lorenzo R. Wells,
Leroy A. Flint,
Albert H. Wilson,
George H. Ladd,
Putnam W. Daley.

MONTPELIER.
P. H. Hinkley,
Hiram A. Huse,
Homer W. Heaton,
Henry K. Field,
George W. Wing,
S. C. Shurtleff,
Whitman G. Ferrin,
C. C. Putnam, Jr.,
W. N. Peck,
Hiram Carleton,
Clark King,
Henry W. Drew.

MORETOWN.
Patrick Lynch,
George Bulkley,
S. D. Sleeper,
C. A. Foster.
Freeman Parker,
B. Mayo,
H. L. Tapiin.

NORTHFIELD.
C. A. Tracy,
J. W. Gould,
F. W. Gregg,
S. P. Orcutt,
W. W. Holden,
O. D. Edgerton,
I. A. Holton,
William Winch.
D. T. Averill,
Thomas Slade,
George B. Loomis,
Charles Dole.

PLAINFIELD.
W. S. Martin,
O. W. Cree,
Nathan Skinner,
S. S. Smith,
Ira Stone.

ROXBURY.
G. B. Hall,
Alphonso Ladd,
D. L. Nichols,
Asahel Flint,
L. J. Wiley.

WAITSFIELD.
J. Harmon Hastings,
E. O. Joslyn,
J. Holden,
S. E. Richardson,
Charles E. Jones.

WARREN.
James Cardell,
Charles Pike,
Hoyt B. Parker,
Philander Ryford,
Horace W. Lyford,
Hiram Boyce,
W. A. Averill.

WATERBURY.
C. C. Robinson,
Daniel Hopkins,
George H. Lease,
James K. Fullerton,
John Jackman,
George N. Greeley,
Frank N. Smith,
Charles B. Clark,
A. B. Remington,
Leonard R. Foster.

WOODBURY.
F. C. Putnam,
James H. Cole,
Javern J. Benjamin,
Frank B. Morse,
Loverin Lyford.

WORCESTER.
Charles C. Tewksbury
Horatio Templeton,
Horace P. Darling,
James M. Gould,
John A. Kelton.

WINDHAM COUNTY.

Hosea B. Ballou, Whitingham, } *Assistant Judges of*
Andrew A. Wyman, Athens, } *County Court.*
Royal Tyler, Brattleboro, *Judge of Probate for District of Marlboro.*
Abishai Stoddard, Townshend, *Judge of Probate for District of Westminster.*
Levant M. Read, Rockingham, *State's Attorney.*
John W. Melendy, Londonderry, *Sheriff.*
George E. Selleck, Brattleboro, *High Bailiff.*

JUSTICES OF THE PEACE.

ATHENS.

A. A. Wyman,
A. Parkhurst,
A. T. Ball,
J. H. Austin,
E. S. Kingsley.

BRATTLEBORO.

William S. Newton,
Royal Tyler,
Edgar W. Stoddard,
Kittredge Haskins,
R. M. Clark,
James M. Tyler,
Charles N. Davenport,
Presson F. Perry,
T. J. B. Cudworth,
Sidney H. Sherman,
Jonathan G. Eddy,
Levi K. Fuller.

BROOKLINE.

Erastus Whitney,
William Adams,
Jonh B. Stebbins,
E. P. Wellman,
T. M. Albee.

DOVER.

George E. Rice,
Anson B. Collins,
Joel Lyman,
George B. Boyd,
S. H. Lazall.

DUMMERSTON.

Joseph Miller,
George W. Walker,
A. B. Bailey,
D. L. Mansfield,
George R. Bennett.

GRAFTON.

Samuel Phelps,
William G. Wyman,
T. W. Davis,
Charles W. Haskell,
Daniel W. Twitchell,
Sidney Holmes,
Ambrose H. Burgess.

GUILFORD.

Samuel L. Hunt,
William W. Barney,
J. H. Richardson,
C. E. Alexander,
R. B. Field,
N. P. Chapin,
S. W. Aldrich.

HALIFAX.

Joseph L. Harrington,
Jedediah Stark,
William E. French,
George L. Clark,
Jerome R. Thompson,
Perry Hall,
Oscar Howe.

JAMAICA.

Luke Howard,
George Kellogg,
Lewis Phelps,
Charles Robbins,
Myron L. Boynton,
Daniel Lyon,
Fred B. Pier.

LONDONDERRY.

William W. Pierce,
Dwight Tyler,
A. W. J. Wilkins,
Henry A. Walker,
Daniel D Wait,
David Arnold,
C. A. Peabody.

MARLBORO.

A. M. Prouty,
J. H. Hamilton,
Elliot Haladay,
A. W. Clayton,
H. W. Bellows.

NEWFANE.

E. P. Wheeler,
Frederick O. Burditt,
Dennis A. Dickenson,
Albert T. Warren,
Alvin B. Franklin,
Samuel Morse,
Samuel P. Miller.

PUTNEY.

Denison Davis,
Franklin Austin,
Scuyler S. Hitchcock,
James Crawford,
Charles W. Kimball,
Josiah K. Parker,
Henry C. Bacon,

ROCKINGHAM.

M. M. Whitney,
Ozias M. George.
Frank G. Butterfield,
Leonard C. Hubbard,
John Baker,
Daniel K. Barry,
Martin R. Lawrence,
Josiah B. Divoll,
Ithamer Bolles,
Maynard F. Burt.

SOMERSET.

Hollis Town,
William C. Bailey,
Hollis Town, Jr.,
Asa Burnap,
George Wheeler.

STRATTON.

Lyman W. Sprague,
Henry P. Forrester,
Willard Shepard,
Edward W. Bowker,
Edwin L. Grout.

TOWNSHEND.

James H. Phelps,
John S. Fullerton,
Oscar R. Garfield,
Ira K. Batchelder,
Ormando S. Howard,
David Howard,
John L. Nichols.

VERNON.

Lorenzo Brown,
A. H. Washburne,
Thomas Goodwillie,
J. E. Franklin,
M. I. Reed.

WARDSBORO.

Darwin A. Hammond,
Avery J. Dexter,
Norman C. Johnson,
Jedediah C. Estabrook,
Chandler Pratt.

WESTMINSTER.

Sylvester S. Stoddard,
Henry C. Lane,
Nathan G. Pierce,
William B. Cutting,
Freeman Gorham,
George P. Sabin.

WHITINGHAM.

Horatio N. Hix,
A. Augustine Butterfield,
Hosea W. Brigham,
George Porter,
Otis B. Wheeler,
Edward L. Roberts,
Leonard Brown.

WILMINGTON.

S. T. Davenport,
C. F. Boyd,
O. E. Butterfield.
F. S. Stanley,
E. Titus,
Clark Chandler,
Liberty Wilder.

WINDHAM.

David E. Robbins,
James W. Gould,
Henry M. Bemis,
Adelbert J. Stearns,
Asahel Upham.

WINDSOR COUNTY.

William M. Pingrey, Weathersfield, } *Assistant Judges of*
Crosby Miller, Pomfret, } *County Court.*
John Porter, Hartford, *Judge of Probate for District of Hartford.*
William H. Walker, Ludlow, *Judge of Probate for District of Windsor.*
Thomas O. Seaver, Woodstock, *State's Attorney.*
Rollin Amsden, Windsor, *Sheriff.*
Gardner J. Wallace, Bethel, *High Bailiff.*

JUSTICES OF THE PEACE.

ANDOVER.

G. W. Stickney,
H. J. Parker,
Alden Jaquith,
S. H Nutting,
Lewis Howard.

BALTIMORE.

Z. H. Graves,
Thomas Preston,
Orson D. Freeman,
Lyman Litch.

BARNARD.

William C. Danforth,
Joel Ellis,
Daniel S. Perkins,
Levi D. Leavitt,
John S. Cobb,
Benjamin R. Lillie,
Joseph E. Safford.

BETHEL.

William R. Adams,
Josiah D. Cushing,
Norman Fowler,
Joel B. Putnam,
Edwin R. Hatch,
Albert A. Brooks,
James C. Burnett.

BRIDGEWATER.

Alfred Sargent,
C. T. Josselyn,
M. E. Kennedy,
Lewis H. Spaulding,
William C. Raymond,
Charles C. Bugbee,
David H. Maxham.

CAVENDISH.

S. A. Craigue,
William Smith,
C. F. Barrett,
H. S. Pierce,
William H. Skinner,
John H. Stearns,
C. D. Parker.

CHESTER.

Edward E. Barney,
Addison S. Adams,
Aaron K. Davenport,
Lewis Hill,
Albert F. Baldwin,
A. Bliss Martin,
Orange P. Dunn,
Joseph R. Richardson,
Daniel Davis, 3d,
Allen C. Gould.

HARTFORD.

John Porter,
Darius Russ,
Zerah B. Clark
M. F. Bartholemew,
Benjamin Dutton,
E. H. Bagley,
Rufus H. Simonds,
C. E. Whitman,
John H. Hazen,
Henry Safford.

HARTLAND.

William S. Crooker,
Asa Weed,
Benjamin F. Labaree,
Wilbur R. Sturtevant,
Henry R. Miller,
B. Willis Billings,
Edwin S. Ainsworth.

LUDLOW.

Ryland C. Haven,
Charles S. Mason,
Ira W. Gale,
Leighton G. Fullam,
Elias H. Pinney,
William D. Ball,
Albert H. Lockwood.

NORWICH.

John W. Loveland,
Abel P. Hatch,
Royal E. Cook,
Samuel S. Booth,
Joseph B. Cloud,
Elihu N. Finney,
William H. Ordway.

PLYMOUTH.

James S Brown,
Josiah C. Taylor,
*Rufus A. Earle,
Fernando Briggs,
Warren R. Taylor,
Alonzo F. Hubbard,
Ryland R. Dudley.

POMFRET.

John Brockway,
William C. Whipple,
Ora Paul,
William Hutchinson,
A. W. Colburn,
Edwin Allen,
Jud S. Maxham.

READING.

Daniel P. Sawyer.
William W. Keyes,
Elwin W. Goddard,
John McCullough,
William C. Bennett,
Oren Walker,
Duane C. Sherwin.

ROCHESTER.

G. L. Chaffee,
John G. Brown,
James Eaton,
Chauncey Stanley,
W. W. Williams,
J. L. Morse,
W. A. Goodno.

ROYALTON.

Horace P. Allen,
J. Willard Bailey,
Jonathan Morse,
David W. Cowdry,
Charles W. Bliss,
Martin T. Skinner,
Harry Goff.

SHARON.

J. H. Marsh,
Charles Day,
A. B. Mosher,
E. B. Baldwin,
George E Fay,
A. B. Preston,
M. P. Keyes.

SPRINGFIELD.

Horace H. Howe,
C. Horace Hubbard,
Samuel W. Porter,
Daniel O. Gill,
Lemuel C. Richmond,
Samuel Rollins,
Lewis Davis,
George O. Henry,
Almond B. Damon,
Rodney G. Britton.

STOCKBIDGE.

Nelson Gay,
Benjamin Cozzens,
Milton E. Smith,
Nathan Davis,
Joel Blackmer,
John B. Taggart,
H. W. Blackmer.

WEATHERSFIELD.

George Barrett,
Charles Mudgett,
Edwin S. Jackman,
DeWitt C. Thresher,
John Spafford,
Jabez Hammond,
Frederick E. Putnam.

WESTON.

M. L. Sweetland,
E. Dorval,
R. B. Jaquith,
W. A. Foster,
W. W. Manning.

WEST WINDSOR.

Edwin R. Shedd,
Frederic Moulton,
William H. H. Ralph,
Walter I. Kendall,
Eugene H. Spaulding.

WINDSOR.

Luther C. White,
Thales B. Winn.
Carleton D. Hazen,
Horace Weston,
Cassius D. Kimball,
Henry L. Story,
Eastburn E. Lamson.

WOODSTOCK.

George R. Chapman,
Henry W. Walker,
William C. Vaughn,
Edwin C. Emmons,
Jasper Hazen, Jr.,
Charles H. English,
Horace C. Lockwood,
Charles O. Thompson,
Joseph W. Smith,
Benton H. Pinney.

*Dead.

On motion of Mr. Butterfield of Whitingham so much of the report as relates to the election of justices of the peace within and for the county of Bennington, resident in the town of Pownal, was *ordered* to be re committed.

On motion of Mr. Howe of Ludlow the Joint Assembly adjourned till Friday, the 19th instant, at half past two o'clock, P. M.

GEORGE NICHOLS, Secretary of State,

Clerk.

IN JOINT ASSEMBLY,
Thursday, Nov. 18, 1880, 2.30 P. M.

The Senate and House of Representatives met in the Hall of the House of Representatives, in pursuance of an adjournment of the 11th instant, for the purpose of electing an Associate Judge of the Supreme Court.

His Honor, JOHN L. BARSTOW, President of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

Mr. Page of Rutland moved that the Joint Assembly do now dissolve;

Which motion was agreed to;

Yeas, 157; noes, 74.

The yeas and nays having been demanded by Senator Dwinell of Washington County, were taken, and are as follows:

Those members of the Senate who voted in the affirmative are Messrs.

Blodgett,	Judevine,	Safford,
Cook,	Paul,	Sykes,
Dana,	Peck,	Thatcher,
Darling,	Pember,	Weed,
Dwinell,	Robinson,	Woodhouse—16.
Gleason,		

Of the House are Messrs.

Abbott of Landgrove,	Gould of Cabot,	Prouty,
Adams of Pomfret,	Gould of Windham,	Renfrew,
Allen of Hinesburgh,	Gray,	Rhodes,
Arnold,	Grout of Concord,	Richardson,
Barney,	Hapgood,	Richmond,
Battell,	Harvey,	Ripley,
Beebe,	Hazard,	Roby,
Bemis of Lyndon,	Hendrick,	Rogers of Waterville,
Benson,	Hill	Spaulding,
Bingham,	Hinckley,	Sawyer,
Black,	Hinsdill,	Searle,
Bolton,	Hodges,	Shattuck,
Booth of Ferrisburgh,	Hooker,	Sheid,
Booth of Waltham,	Hopkinson,	Shepardson,
Boyce,	Hutchinson,	Shepherd,
Bratton,	Ingalls,	Simpson of Greensboro,
Brown,	James,	Skinner,
Buck,	Jones,	Smith of Fairlee,
Bucklin,	Joslyn,	Smith of Monkton,
Butterfield,	Judevine,	Smith of Newark,
Button,	Kelley,	Smith of Shelburne,
Cameron,	Kidder,	Soule,
Chamberlain,	Kimball,	Spear,
Chapin,	Knight,	Spencer,
Chase of Jay,	Lane,	St. John,
Chase of Somerset,	Leach,	Stanley,
Cilley,	LeClair,	Stevens,
Clark of Windsor,	Leonard,	Stone,
Cobb of Ripton,	Mackenzie,	Strong,
Cobb of Strafford,	Manning,	Sumner,
Curtis,	Matthews,	Taylor of Thetford,
Damon,	May,	Taylor of Washington,
Daniels,	McKnight,	Thayer,
Dartt,	Mears,	Thomas,
Davis of Barnard,	Moore,	Tiffany,
Davis of Putney,	Morrill of Canaan,	Tracy,
Denny,	Morrill of Vernon,	Tubbs,
Dexter,	Morrison,	Turner,
Dix,	Ober,	Ware,
Dutton of Dummerston,	O'Brian,	Webb,

Dutton of Goshen,
Ellis,
Ely-Goddard,
Farman,
Farnham,
Ferguson,
Fitch,
Fletcher,
Follett,
Ford,
Fowler,
Goodell,
Goodwin of Hartland,
Orcutt,
Page,
Parker of Elmore,
Parker of Pownal,
Perry of Hancock,
Perry of Ira,
Pike,
Pond,
Potter of Belvidere,
Potter of Clarendon,
Preston,
Prindle,
Welch,
West,
Whitford,
Whitney of Brookline,
Whitney of Dorset,
Whitney of Franklin,
Wilcox of Morgan,
Wilcox of Pawlet,
Willey,
Witherell,
Woodard,
Woodworth—157.

Those members of the Senate who voted in the negative are Messrs.

Bridgman,
Brown,
Dillingham,
Dunton,
Field,
Fuller,
Gleed,
Goodsell,
Henry,
King,
Lane,
North,
Start,
Woodworth—14.

Of the House are Messrs.

Abbott of Bennington,
Abell,
Adams of Brighton,
Allen of Enosburgh,
Allen of Fair Haven,
Allen of Hartford,
Atwood,
Ayer,
Babcock,
Bemis of Burke,
Blaisdell,
Booth of Morristown,
Brainerd,
Briggs,
Bryant,
Caswell,
Chafey,
Clark of Williston,
Colton,
Cook,
Currier,
Cushing,
Davis of Chester,
Deming,
Dillon,
Dolloff,
Doud,
Fefee,
Fifield,
Foster,
Giddings,
Gookwin of Derby,
Grout of Newport,
Harbour,
Haskell,
Holmes,
Horton,
Howe,
Hubbard,
Hudson,
Hunt,
Hurst,
Kent,
Leavens,
Lovejoy,
Mallory,
McGettrick,
Merrifield,
Mott,
Nichols,
Palmer of Jericho,
Pierce,
Platt,
Priest of Barre,
Priest of Mount Holly,
Rankin,
Ranney,
Rogers of Wheelock,
Sargent,
Scranton,
Simpson of Craftsbury,
Smith of Plainfield,
Smith of Rockingham,
Smith of St. Johnsbury,
Taft,
Templeton,
Thompson,
Towsley,
Waterhouse,
Whalen,
Wheelock,
Wilson,
Wood,
Wright—74

The Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Thursday, Nov. 18, 1880, 2.30 P. M.

The Senate and House of Representatives met in the Hall of the House of Representatives in pursuance of a joint resolution, which was read by the Clerk and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in the Hall of the House of Representatives on Thursday, the 18th day of November, at half-past two o'clock in the afternoon, for the election of Secretary of State, Auditor of Accounts, Sergeant-at-Arms, Adjutant and Inspector General, Quartermaster-General, Judge-Advocate-General, Railroad Commissioner, three Supervisors of the Insane, three Trustees of the University of Vermont and State Agricultural College to serve for a period of six years from and including December 1, 1881: also to elect a Trustee of the University of Vermont and State Agricultural College to serve until and including the 1st day of December, A. D. 1883, to fill the vacancy caused by the death of the late Asahel Peck: also to elect a State Superintendent of Education.

His Honor, JOHN L. BARSTOW, President of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

On motion of Senator Gleed of Lamoille County the Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Friday, Nov. 19, A. D. 1880, 11.30 A. M.

The Senate and House of Representatives met in the Hall of the House of Representatives in pursuance of a joint resolution, which the Clerk read and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in the Hall of the House of Representatives, at eleven and one-half past o'clock, this forenoon, for the election of Sergeant-at-Arms.

His Honor, JOHN L. BARSTOW, President of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

Senator Dillingham of Washington County nominated for the office named in the resolution, Truman C. Phinney of Montpelier:

Whereupon, no other nomination being made,

TRUMAN C. PHINNEY of Montpelier

was duly elected to that office for the term of two years, from and including the first day of December, A. D. 1880, by a *viva voce* vote.

The Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Friday, Nov. 19, A. D. 1880, 2.30 P. M.

The Senate and House of Representatives met in the Hall of the House of Representatives, in pursuance of an adjournment of the 17th instant, for the purpose of hearing the report of the Joint Canvassing Committee appointed to canvass votes for county and probate district officers.

Hon. PHILIP K. GLEED, President *pro tempore* of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

Senator Dana of Addison County, Chairman *pro tempore* of the Canvassing Committee, submitted a report, which was read by the Clerk, and is as follows:

Your committee do report: That at the election held in the town of Pownal, in the county of Bennington, on the 7th day of September, A. D. 1880, some person or persons caused to be erected barriers or a partition on the sides and in front of the place where the voters deposited their ballots, behind which the ballot boxes were placed and the voters required to pass to deliver their ballots to the presiding officer, and by reason of which partition or obstruction the voters in said meeting were prevented from, and deprived of, the right of seeing who voted, or of having the ballot boxes continually in sight of said meeting.

And they do further report, that after the ballots had been taken, the votes for justices of the peace were not counted until the next day with the votes for other county officers as hereafter stated: that the presiding officer of said meeting instead of sorting and counting said votes in open meeting, and making a certificate of the same as prescribed by Article 20 of the Constitution of Vermont, did take the ballot boxes and all of the votes to some other place than said meeting, and on the following day sorted and counted said

votes, and made certificate of the same as is now required to be done on the day of election.

All of which proceedings were so informal, irregular, and without the sanction of law, that your committee do hereby declare the votes cast in the town of Pownal for county officers to be without effect, and the election of justices of the peace within and for said county of Bennington, resident in said town of Pownal, to be null and void.

EDWARD S. DANA,

Chairman *pro tempore* of General Canvassing Committee.

The Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,

Clerk.

IN JOINT ASSEMBLY,
Friday, December 3, 1880, 3 P. M.

The Senate and House of Representatives met in the Hall of the House of Representatives in pursuance of a joint resolution, which was read by the Clerk, and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly on Friday, the 3d day of December, A. D. 1880, at three o'clock in the afternoon, to elect an Assistant Judge of the Supreme Court to fill the existing vacancy.

Hon. PHILIP K. GLEED, President *pro tempore* of the Senate, in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

The Chair directed the Joint Assembly to the election of the officer named.

Senator Dunton of Rutland County nominated William H. Walker of Ludlow.

Senator Gleason of Orange County nominated John W. Rowell of Randolph.

Senator Gleason of Orange County, Mr. Grout of Newport and Mr. Mott of Alburgh were appointed tellers.

The ballots having been taken and examined, it appeared that no election had been made.

Senator Start of Franklin County, Mr. Hinckley of Chelsea and Mr. Smith of St. Johnsbury were appointed tellers.

The ballots having been taken and examined a second time, it appeared that no election had been made.

Mr. Page of Rutland nominated Walter C. Dunton of Rutland.

Senator Dana of Addison County nominated Russell S. Taft of Burlington.

Mr. Martin of Londonderry nominated Eleazer L. Waterman of Jamaica.

Senator Henry of Windsor County, Mr. Brown of Grand Isle and Mr. Palmer of Jericho were appointed tellers.

The ballots having been taken and examined the third time, it appeared that no election had been made.

The names of the gentlemen who had been placed in nomination having been severally withdrawn except that of Russell S. Taft, and the election being made *viva voce*, it appeared that Russell S. Taft had received the election;

And thereupon

RUSSELL S. TAFT

Was declared duly elected sixth Assistant Judge of the Supreme Court, pursuant to the joint resolution.

The Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Tuesday, Dec. 14, 1880, 2.30 P. M.

The Senate and House of Representatives met in in the Hall of the House of Representatives, in pursuance of a joint resolution, which was read by the Clerk and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in the Hall of the House of Representatives on Tuesday, the 14th day of December, A. D. 1880, at two and one-half o'clock in the afternoon, for the election of a Secretary of State, Auditor of Accounts, Adjutant and Inspector General, Quartermaster General, Judge-Advocate-General, three Trustees of the University of Vermont and State Agricultural College to serve for the period of six years from and including the first day of December, A. D. 1881. Also to elect a Trustee of the University of Vermont and State Agricultural College to serve until and including the first day of December, A. D. 1883, to fill the vacancy occasioned by the death of the late Asahel Peck: also a Superintendent of Education.

His Honor, JOHN L. BARSTOW, President of the Senate in the chair.

GEORGE NICHOLS, Secretary of State, Clerk.

For Secretary of State, Mr. Martin of Londonderry nominated George Nichols of Northfield:

Whereupon, no other nomination being made,

GEORGE NICHOLS of Northfield

was duly elected to that office for the two years next ensuing, by a *viva voce* vote, and the oath was administered by the President of the Joint Assembly.

For Auditor of Accounts, Mr. Leavens of Berkshire nominated E. Henry Powell of Richford:

Whereupon, no other nomination being made,

E. HENRY POWELL of Richford

was duly elected to that office for the two years next ensuing, by a *viva voce* vote.

For Adjutant and Inspector General, Mr. Fifield of Montpelier nominated James S. Peck of Montpelier:

Whereupon, no other nomination being made,

JAMES S. PECK of Montpelier

was duly elected to that office for the two years next ensuing, by a *viva voce* vote.

For Quartermaster-General, Mr. Page of Rutland nominated Levi G. Kingsley of Rutland:

Whereupon, no other nomination being made,

LEVI G. KINGSLEY of Rutland

was duly elected to that office for the two years next ensuing, by a *viva voce* voce.

For Judge Advocate General, Mr. Martin of Londonderry nominated George W. Hooker of Brattleboro:

Whereupon, no other nomination being made,

GEORGE W. HOOKER of Brattleboro

was duly elected to that office for the two years next ensuing, by a *viva voce* vote.

For Trustees of the University of Vermont and State Agricultural College, on nomination of Mr. Fifield of Montpelier,

JUSTIN S. MORRILL of Strafford,

On nomination of Mr. Thompson of Irasburgh,

HENRY JANES of Waterbury,

On nomination of Mr Fifield of Montpelier,

ELIAKIM P. WALTON of Montpelier,

were severally elected to that office for the full term of six years from and including the first day of December, A. D. 1881, by *viva voce* votes;

And, on nomination of Senator Dana of Addison County,

JOHN L. BARSTOW, of Shelburne

was duly elected to that office for the term ending the first day of December, A. D. 1883, to fill the vacancy occasioned by the death of the late Asahel Peck, by a *viva voce* vote.

On motion of Senator Dana of Addison County the Joint Assembly adjourned till Saturday, the 18th day of December, instant, at eleven o'clock in the forenoon.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Saturday, December 18, 1880, 11 A. M.

The Senate and House of Representatives met in the Hall of the House of Representatives, pursuant to an adjournment of the 14th instant.

Hon. PHILIP K. GLEED, President of the Senate, *pro tempore* in the chair.

GEORGE NICHOLS, Secretary of State, Clerk,

On motion of Senator Dana of Addison County the Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

IN JOINT ASSEMBLY,
Thursday, December 23, 1880, 8 P. M.

The Senate and House of Reprentatives met in the Hall of the House of Representatives, in pursuance of a joint resolution which was read by the Clerk and is as follows:

Resolved by the Senate and House of Representatives, That the two Houses meet in Joint Assembly on Thursday, the 23d day of December, at eight o'clock, P. M. for the purpose of electing a State Superintendent of Education, Railroad Commissioner and three Supervisors of the Insane.

His Honor, JOHN L. BARSTOW, President of the Senate, in the Chair.

GEORGE NICHOLS, Secretary of State, Clerk.

For State Superintendent of Education, Mr. Palmer of Jericho nominated Justus Dartt of Weathersfield.

Mr. Thompson of Irasburgh nominated Edward Conant of Randolph.

Senator Henry of Windsor County, Mr. Thompson of Irasburgh and Mr. Palmer of Jericho were appointed tellers.

The ballots having been taken and examined, it appeared that

JUSTUS DARTT of Weathersfield

had been duly elected to that office for the two years next ensuing.

Mr. Battell of Middlebury moved that the election of Railroad Commissioner be postponed;

Which was disagreed to; and thereupon,

For Railroad Commissioner, Senator Start of Franklin County nominated Hiram Skeels of Highgate.

Senator Dunton of Rutland County nominated Wayne Bailey of Rutland.

Mr. Brainerd of St. Albans nominated Lester B. Greene of St. Albans.

Senator Robinson of Chittenden County nominated William Hale of Essex.

Senators Start of Franklin County, Mr. Tiffany of Pittsford and Mr. Brainerd of St. Albans were appointed tellers.

The ballots having been taken and examined, it appeared that

WAYNE BAILEY of Rutland

had been duly elected to that office for the two years next ensuing.

For First Supervisor of the Insane,

Senator Field of Windsor County nominated Samuel J. Allen of Hartford;

And, no other nomination being made,

SAMUEL J. ALLEN of Hartford

was duly elected to that office for the two years next ensuing, by a *viva voce* vote.

For Second Supervisor of the Insane,

Mr. Briggs of Brandon nominated William H. Walker of Ludlow.

Mr. Hinckley of Chelsea nominated John W. Rowell of Randolph.

Mr. Brown of Grand Isle nominated Lucius C. Butler of Essex.

Mr. Briggs of Bandon, Mr. Hinckley of Chelsea and Mr. Brown of Grand Isle were appointed tellers.

The ballots having been taken and examined it appeared that no choice had been made.

Mr. Grout of Newport nominated Joseph C. Rutherford of Newport:

Whereupon, all other nominations having been withdrawn,

JOSEPH C. RUTHERFORD of Newport

was duly elected to that office for the two years next ensuing by a *viva voce* vote.

For Third Supervisor of the Insane,

Senator Dana of Addison County nominated James S. Gale of Orwell.

Senator Fuller of Windham County nominated Oscar E. Butterfield of Wilmington.

Mr. Booth of Morristown nominated Philip K. Gleed of Morristown.

Senator Blodgett of Caledonia County nominated Hiram S. Brown of St. Johnsbury.

Mr. LeClair of Colchester nominated Josiah O. Cramton of Colchester.

Mr. Boyce of Fayston nominated Roney M. Harvey of Topsham.

The ballots having been taken and examined, Senator Fuller of Windham County, Mr. Boyce of Fayston and Mr. Booth of Morristown having been appointed tellers, it appeared on the second ballot that

RONEY M. HARVEY of Topsham

had been duly elected to that office for the two years next ensuing.

The Joint Assembly dissolved.

GEORGE NICHOLS, Secretary of State,
Clerk.

STATE OF VERMONT.

OFFICE OF SECRETARY OF STATE,
Montpelier, December 23, 1880.

I hereby certify that the foregoing is a true record of the proceedings of the Joint Assembly at the biennial session of the Legislature for the year A. D. 1880.

GEORGE NICHOLS, Secretary of State,
Clerk.

APPENDIX.

APPENDIX.

REPORT FROM THE STATE TREASURER,

UNDER THE JOINT RESOLUTION RELATING TO THE SALARIES OF JUDGES OF PROBATE, AND THE AMOUNT OF FEES PAID BY THEM INTO THE STATE TREASURY.

STATE TREASURER'S OFFICE,
Montpelier, October 20, 1880.

To the Honorable Senate now in session:

In reply to a request named in a resolution adopted on the 19th instant, in regard to salaries of judges of probate in the several probate districts in this State, and the amount of fees paid to the State by each of said judges for the years 1870 and 1879, both inclusive, I have the honor to report.

The amount of the salaries of said judges, and the amount of fees collected and accounted for by them, severally, are as set forth in the following tables, to wit:

Addison District.			Salary $550 00
Fees received,	year 1870,	$329 50	"
"	" 1871,	309 50	"
"	" 1872,	362 50	"
"	" 1873,	339 00	"
"	" 1874,	363 00	"
"	" 1875,	499 00	"
"	" 1876,	429 00	"
"	" 1877,	480 00	"
"	" 1878,	535 00	"
"	" 1879,	482 50	"

Bennington District.			Salary $350 00
Fees received,	year 1870,	$350 00	"
"	" 1871,	325 84	"
"	" 1872,	236 34	"
"	" 1873,	298 00	"
"	" 1874,	378 68	"
"	" 1875,	336 50	"
"	" 1876,	548 00	"
"	" 1877,	543 50	"
"	" 1878,	400 50	"
"	" 1879,	460 50	"

Bradford District.			Salary $550 00
Fees received,	year 1870,	$349 00	"
"	" 1871,	294 50	"
"	" 1872,	306 00	"
"	" 1873,	331 50	"
"	" 1874,	446 00	"
"	" 1875,	366 50	"
"	" 1876,	386 50	"
"	" 1877,	382 50	"
"	" 1878,	343 50	"
"	" 1879,	387 00	"
Caledonia District.			Salary $750 00
Fees received,	year 1870,	$610 50	"
"	" 1871,	681 00	"
"	" 1872,	714 00	"
"	" 1873,	661 50	"
"	" 1874,	744 50	"
"	" 1875,	876 50	"
"	" 1876,	865 00	"
"	" 1877,	732 00	"
"	" 1878,	603 50	"
"	" 1879,	677 00	"
Chittenden District.			Salary $900 00
Fees received,	year 1870,	$749 00	"
"	" 1871,	841 00	"
"	" 1872,	645 50	"
"	" 1873,	881 50	"
"	" 1874,	909 50	"
"	" 1875,	1,049 00	"
"	" 1876,	939 00	"
"	" 1877,	947 00	"
"	" 1878,	987 00	"
"	" 1879,	871 50	"
Essex District.			Salary $200 00
Fees received,	year 1870,	$ 88 50	"
"	" 1871,	124 50	"
"	" 1872,	130 50	"
"	" 1873,	107 00	"
"	" 1874,	162 00	"
"	" 1875,	97 00	"
"	" 1876,	97 50	"
"	" 1877,	122 00	"
"	" 1878,	119 00	"
"	" 1879,	108 50	"
Fair Haven District.			Salary $500 00
Fees received,	year 1870,	$358 00	"
"	" 1871,	313 50	"

Fees received,	year 1872,	323 00	Salary $500 00
"	" 1873,	367 00	"
"	" 1874,	383 50	"
"	" 1875,	518 50	"
"	" 1876,	332 50	"
"	" 1877,	350 50	"
"	" 1878,	392 00	"
"	" 1879,	8 00	"
Franklin District.			Salary $900 00
Fees received,	year 1870,	$	"
"	" 1871,		"
"	" 1872,		"
"	" 1873,		"
"	" 1874,		"
"	" 1875,		"
"	" 1876,	531 00	"
"	" 1877,	652 58	"
"	" 1878,	615 50	"
"	" 1879,	642 50	"
Grand Isle District.			Salary $200 00
Fees received,	year 1870,	$ 81 00	"
"	" 1871,	85 00	"
"	" 1872,	80 00	"
"	" 1873,	81 00	"
"	" 1874,	147 50	"
"	" 1875,	159 50	"
"	" 1876,	129 50	"
"	" 1877,	183 00	"
"	" 1878,	182 00	"
"	" 1879,	114 00	"
Hartford District.			Salary $700 00
Fees received,	year 1870,	$674 50	"
"	" 1871,	668 50	"
"	" 1872,	609 50	"
"	" 1873,	795 00	"
"	" 1874,	742 50	"
"	" 1875,	903 50	"
"	" 1876,	863 00	"
"	" 1877,	859 00	"
"	" 1878,	965 00	"
"	" 1879,	881 00	"
Lamoille District.			Salary $350 00
Fees received,	year 1870,	$249 50	"
"	" 1871,	289 50	"
"	" 1872,	241 00	"
"	" 1873,	251 00	"

Fees received,	year 1874,	357 50	Salary $350 00
"	" 1875,	367 00	"
"	" 1876,	328 50	"
"	" 1877,	293 50	"
"	" 1878,	503 50	"
"	" 1879,	437 50	"
Manchester District.			Salary $350 00
Fees received,	year 1870,	$184 00	"
"	" 1871,	164 00	"
"	" 1872,	208 50	"
"	" 1873,	291 00	"
"	" 1874,	234 00	"
"	" 1875,	251 00	"
"	" 1876,	227 50	"
"	" 1877,	213 00	"
"	" 1878,	171 00	"
"	" 1879,	211 50	"
Marlboro District.			Salary $650 00
Fees received,	year 1870,	$614 00	"
"	" 1871,	604 50	"
"	" 1872,	599 50	"
"	" 1873,	556 50	"
"	" 1874,	692 50	"
"	" 1875,	826 50	"
"	" 1876,	751 00	"
"	" 1877,	658 50	"
"	" 1878,	586 00	"
"	" 1879,	608 50	"
New Haven District.			Salary $500 00
Fees received,	year 1870,	$398 50	"
"	" 1871,	521 00	"
"	" 1872,	468 50	"
"	" 1873,	517 00	"
"	" 1874,	507 50	"
"	" 1875,	509 00	"
"	" 1876,	501 50	"
"	" 1877,	450 00	"
"	" 1878,	473 50	"
"	" 1879,	457 50	"
Orleans District.			Salary $600 00
Fees received,	year 1870,	$491 00	"
"	" 1871,	420 00	$700 00
"	" 1872,	433 00	"
"	" 1873,	537 50	"
"	" 1874,	532 00	"
"	" 1875,	744 00	"

Fees received,	year 1876,	790 50	Salary $700 00
"	" 1877,	721 50	"
"	" 1878,	704 50	"
"	" 1879,	687 00	"
Randolph District.			Salary $550 00
Fees received,	year 1870,	$387 50	"
"	" 1871,	384 50	"
"	" 1872,	369 50	"
"	" 1873,	336 50	"
"	" 1874,	432 50	"
"	" 1875,	316 00	"
"	" 1876,	376 50	"
"	" 1877,	444 80	"
"	" 1878,	379 50	"
"	" 1879,	511 00	"
Rutland District.			Salary $800 00
Fees received,	year 1870,	$517 50	"
"	" 1871,	641 50	"
"	" 1872,	520 00	"
"	" 1873,	678 00	"
"	" 1874,	789 00	"
"	" 1875,	843 50	"
"	" 1876,	785 00	"
"	" 1877,	980 50	"
"	" 1878,	876 50	"
"	" 1879,	913 50	"
Washington District.			Salary $1,000 00
Fees received,	year 1870,	$999 00	"
"	" 1871,	805 50	"
"	" 1872,	980 00	"
"	" 1873,	893 00	"
"	" 1874,	850 00	"
"	" 1875,	1,029 00	"
"	" 1876,	1,016 50	"
"	" 1877,	954 00	"
"	" 1878,	1,106 00	"
"	" 1879,	1,033 00	"
Westminster District.			Salary $500 00
Fees received,	year 1870,	$421 50	"
"	" 1871,	387 00	"
"	" 1872,	436 00	"
"	" 1873,	396 50	"
"	" 1874,	369 50	"
"	" 1875,	377 50	"
"	" 1876,	343 00	"
"	" 1877,	473 50	"
"	" 1878,	444 00	"
"	" 1879,	417 50	"

Windsor District.			Salary $700 00
Fees received,	year 1870,	$579 50	"
"	" 1871,	570 00	"
"	" 1872,	662 00	"
"	" 1873,	547 00	"
"	" 1874,	622 00	"
"	" 1875,	827 00	"
"	" 1876,	670 00	"
"	" 1877,	806 00	"
"	" 1878,	610 00	"
"	" 1879,	916 50	"

Respectfully submitted,

J. A. PAGE,

Treasurer.

REPORT OF THE SENATE COMMITTEE ON THE HOUSE OF CORRECTION.

SENATE CHAMBER,
November 8, 1880.

Submitted, read and on motion of Senator Blodgett ordered to lie and the Secretary directed to procure the printing of five hundred copies for the use of the General Assembly.

C. W. BROWNELL, JR.,
Secretary.

To the Honorable Senate now in Session:

Your Committee on the House of Correction who were instructed by joint resolution, adopted in concurrence October 21, to visit that institution, examine the same and report to their respective Houses, respectfully submit the following:

In company with two of the directors, Hon. W. H. H. Bingham and Hon. Mer. P. Simonds, your committee visited the House of Correction, located at Rutland, on Thursday, October 28. On entering the grounds we were met by the gentlemanly superintendent, G. N. Eayers, who seemed in every way eminently fitted for the situation he occupies.

With the superintendent and directors, we first took a survey of the grounds on which the buildings were erected. Your committee feel that they cannot speak in too high terms of the beauty of the location and its adaptation to the wants of such an institution. The buildings are situated on a high elevation of land overlooking the village of Rutland, bounded in front by a small river, which give

ample facilities for drainage. Your committee feel that the location, the facilities for drainage, the scrupulous cleanliness about the grounds and in all the buildings make it all that can be desired by the State in a sanitary point of view.

Your committee do not deem it necessary to give any description of the buildings, as that may be found in the report of the commissioners in the Vermont House Journal of 1878. The buildings, in the opinion of your committee are well built and well adapted to the purposes for which they were erected, and reflect great credit upon the commissioners who had the planning and direction of the same in charge.

Your committee found the number in the House, at the time of their visit, to be eighty-six. This number is constantly changing. The men were nearly all at work in the work shops, which seemed so crowded that the men could not work to advantage, and it was apparent to the committee that more room was needed, and they would here recommend that the addition of forty feet to the work-shop, asked for by the directors in their report, be granted.

Religious services are held every Sabbath in the chapel, and all of the convicts are required to attend, unless excused by the superintendent. Many of the convicts take part in the singing, and seem quite attentive to and interested in the exercises. These services have been conducted by Christian workers from the various churches in the village of Rutland, and should be encouraged in every way consistent with good discipline, as religious culture and training lay at the foundation of all true reform, and every such institution should be made as reformatory in its character as possible.

Your committee found that an appropriation was needed, and would recommend as follows:

Six thousand dollars to pay the indebtedness incurred in building the work shop, and buying a small piece of land in addition to the original purchase.

One thousand dollars for an addition to the work shop.

Twenty-two thousand dollars to meet the current expenses for the two years ensuing.

In closing, your committee would express an opinion that the institution has been well and ably managed from its beginning to the present time.

That it is a great improvement on the old jail system and of less expense to the State.

The superintendent and board of directors have been faithful to their trust, and your committee would recommend that they be retained in office.

All of which is respectfully submitted,

H. JUDEVINE,
C. W. WOODHOUSE,
M. PECK,
} Committee of Senate

REPORT OF THE JOINT COMMITTEE ON THE INSANE AND THE INSANE ASYLUM.

To the General Assembly now in session:

In pursuance of the joint resolution of the 20th of October, 1880, the Joint Committee on the Insane, on the 29th of that month, went to Brattleboro and during the evening met the superintendent, Dr. Draper and Ex-Gov. Holbrook of the board of trustees and had a conference with them particularly with reference to the convict insane, the criminal insane, the relative rights of the State and the institution; and generally in regard to the dependent now undergoing treatment at the asylum.

In their classification of patients, the authorities class those persons as convict insane who become insane at the penal institutions after conviction of crime; criminal insane are those who are acquitted in the courts by reason of a successful plea of insanity. There are eleven insane convicts and ten criminal insane.

It will be apparent to the causual observer that there is a marked difference between the two classes, the former are generally men of depraved life, who after conviction become mentally diseased; the latter are adjudged insane after having done an act which had they been sane would have been a crime, but which is found to be innocent in the eye of the law, because of their mental incapacity and consequent irresponsibility.

On the 30th day of October, by the courtesy of the management, the committee visited the institution and very carefully and thoroughly examined it in all its departments. We visited every ward, saw every patient, examined the kitchen, laundry, gymnasium, buildings and engine room. We were treated with consideration and cordiality and were permitteed to see any and all portions of the establishment; in fact, the whole machinery was laie bare to our inspection, and such information as we sought for was given us.

The investigation warrants us in finding the following facts, which are respectfully submitted:

1. The superintendent, Dr. Draper, is a man of unusual intelligence, ability and humanity; his administration is that of an accomplished gentleman and cultured physician. He has deservedly attained an enviable reputation in this department of medical science to which he has devoted his life.

2. There is apparently a positive disposition on the part of the trustees, officers and subordinates, under the circumstances, notwithstanding their exaggerated ideas as to the capacity of the institution which has always obtained with them, to do all that is possible to

properly support and care for the unfortunate persons confined to their charge.

3. The buildingy are clean and the temperature generally equable. The patients are decently and comfortably clad, and the culinary arrangements modern in style and in proper condition.

4. The artificial forced ventilation, by the fan operated by the steam engine, has much improved the atmospheric condition of the several wards.

5. The new brick work shop and ice-house, and the alterations and partial reconstruction of the wards in the rear wing, is an advancing step in the right direction. These improvements, permanent in their nature, and general repairs and renovation, have cost, during the two years ending July 1st, 1880, $35,248.32.

But your committee would be remiss in their duties to the people of the State did we not, in the plainest language, point out to their representatives in the Legislature some of the disadvatages and glaring improprieties connected with the present relation between the State and the Asylum—difficulties not attributable to defects of management, but resulting from circumstances beyond the control of any management of the institution; and which can only be remedied by a resort to radical methods.

First. The Asylum claims to be, and as appears from the report of Mr. Walker to the Legislature in 1878 practically is, legally independent of the State authority. The State has no absolute rights except such as it obtains by virtue of its contract to board the insane who are dependent [upon] it. Of the average of 452 patients during the past two years, 305 are dependent upon public charity. Of the 177 received during the biennial term 163 were residents of the State.

As to the 305 supported by the public, we pay three dollars and a half a week for each, or in all, seventy-five thousand dollars a year, and the Asylum provides for the insane, and here the matter ends. In other words, the State farms out its unfortunate insane to a private corporation which is independent of its authority except as the State has sovereign and paramount authority over every individual within its borders.

This farming-out process as a method of avoiding the exercise of public duty is manifestly wrong. It is in its own nature inherently bad. If the State pays too little—or less than the support costs—it enforces a tax upon a worthy establishment to sustain a burden which, by every consideration of public morality and justice, should be maintained equally by the whole people: if the State pays more than the cost, it depletes its treasury to the extent of the excess.

It is positively claimed by the superintendent and the trustees—and in this the figures of the institution apparently bear them out—that up to 1878 the State had not paid the Asylum what the support of its insane had cost, and that for the past two years the cost has

been eight cents a week for each person more than the sum paid by the State:—in other words, the institution has lost twenty-five hundred dollars on account of public patronage. If this be true, the managers of the institution do not probably care to continue to supply accommodations to the State unless the contract price should be raised.

But it is apparent that the temptation will always be present for this private corporation and its manngement to keep its expenses within its income, for it has no reserve upon which to rely.

It is difficult to imagine a more distressing condition of affairs than the possibility that the unfortunate demented of the State, who are entitled by the solemn considerations of humanity to the zealous, watchful care of the supreme authority, should be placed by the government into the absolute control of a system responsible to no only the consciences of a continually changing management, and under such circumstances that the otherwise controling strong arm of the State is powerless to prevent abuses or correct injustice toward those who are liable to be made the victims of an economy which may be carried to cruelty; where, also, complaints are liable to be discredited because of the assumed mental unsoundness of the complainants.

The State cannot exercise its power to make new contracts except during the biennial session of the Legislature, and if in the interim complaint should be made, the fact of mental unsoundness on the part of the complainant would be, generally, a sufficient answer.

At present it is our pleasing duty to say that improvements have been made and reforms inaugurated so that now there is no reason to believe that the insane are improperly treated; but that the present conduct of affairs is an improvement suggests unpleasantly that, at some time, defects were decidedly apparent, and that the State was and is powerless to bring to bear that immediate, swift and certain correction of wrong which ought to be ever present in the State in its relation to the insane. That the present arrangement makes abuses which it cannot correct, possible, may well excite our anxious solicitude and prompt us to an immediate cutting loose from an arrangement which, as we have seen, is inherently bad and not of pecuniary advantage to the institution.

We do not exactly, however, understand just how so bad a showing is made against the State in the matter of the expenses. The original capital of the institution was $10,000; to this the State has added by gratuitous appropriations $23,000. In forty four years of management this capital has been increased about ten-fold. All of this increase of over $300,000 has been made out of the public and private patients, and the former have at all times amounted to about three-fourths of the whole.

Had the State contributed the original $10,000 and the institution been under its control, we should to-day have been the owner of the property, said to be worth a half million dollars. There is no doubt but that the experience of the future will be a duplicate of the past;

the proportion of the insane to the population is a uniform increasing percentage; and presented in this economic view alone, as we must in the future provide for these unfortunate persons, the sooner the State commences on its own account to provide an asylum the better.

We think it is plain that a large proportion of the investment at Brattleboro has been accumulated out of the exercise of the privilege of acting in the place of the government in taking care of the insane, and thus feebly carrying out that which should be the highest duty of the sovereign authority, a duty which should never be delegated by law to any men or set of men, but which should be performed by it directly, with vigor, with humanity and with scrupulous, exact fidelity.

Secondly. The buildings are not suitably arranged to secure ventilation; the wards are very low—were built when little attention was paid to the importance of ventilation or the furnishing of direct air shafts or making the rooms high enough between the floor and ceiling to insure proper breathing space. The ceilings are so low that no system of forced artificial ventilation can so far remedy the defect as to fully meet the requirements of the number of patients to be accommodated in the various wards. Artificial forced ventilation may favorably modify the defect but cannot, and does not eradicate it; nor can it be remedied at Brattleboro without tearing down to the foundations and building anew. This method is, of course, out of the question by the present corporation. So the State should look elsewhere for proper accommodation.

Thirdly. There are at least 150 too many patients at Brattleboro, even under the most favorable circumstances. There should be no divided responsibility in the management, and a family of 300 insane is all one man can properly take care of.

Fourthly. At Brattleboro, by reason of the limited means at their disposal, sufficient attendance is not furnished so that the insane can exercise manual labor out of doors. Dr. Draper speaks of this in his testimony two years ago and, conceding the advantage of labor upon the health of the patients, excuses their non-labor on the score of cost. This labor is not remunerative as a pecuniary matter, but solely of importance as a neccessary part of proper treatment. The patient should work in order to sleep and eat well; without work, the physical system soon degenerates and the patient descends rapidly towards total *dementia* or imbecility. This is fully pointed out by Dr. Fassett in his report of two years ago.

Fifth. There is too much appearance of confinement at Brattleboro. The windows of the excited wards are grated like those of a prison. The places for out door exercise or recreation are surrounded by high board fences, and the idea of confinement is ever present. In other asylums the grating on the windows is disguised to resemble double sash and the fences and barriers are concealed by hedges

and trees. An asylum should resemble a hospital, and not suggest a prison.

Your committee refer to the exhaustive report of Drs. Fassett and Goldsmith and Hon. William H. Walker, of 1878, and concur in their conclusions. And we here call attention to the criticisms of a remarkable pamphlet, entitled, "Comments of the Officers of the Vermont Asylum for the Insane on the Report of Special Commissions, 1878," and distributed to the General Assembly. A careful investigation will demonstrate the necessity of all the legislation we have. The private and peculiar rights of the institution toward the State, as claimed, exemplifies what we have stated—that they not only deny the right of State interference, but they severely criticise your officers when they attempt to enlighten the people as to the true condition of affairs, and the propriety of legislation which has met the repeated approval of your committees. We are of opinion that a new asylum would put the wards of the State in a position where any injustice toward them could be speedily corrected.

An expenditure of about $10,000 would provide accommodation for fifty thoroughly demented, including the convict and criminal classes, in connection with the House of Correction, and would save all it cost in the next biennial term. Should a new asylum be built, the ward could be used in connection with the establishment as a penal institution.

We are of the opinion and so deliberately state, that the people cannot longer afford to continue the present anomalous condition of affairs with an institution which has nothing of the State about it except its name. There are seven hundred insane in the State—over three hundred not in any asylum. Of the four hundred and fifty-two at Brattleboro they could lose one hundred and fifty two to the advantage of that institution, and if the new asylum should be started on a new basis, the three hundred now at large and private patients would soon call upon its capacity, and without interfering with the asylum at Brattleboro in its accommodation for all it can properly treat.

Should our expectations be realized, the experience of other States teaches us that the benevolent would make it the object of their charity. The State asylum of New Hampshire has a fund of this kind amounting to over a quarter of a million of dollars.

The duty of the Legislature is clear, and its action should be decisive and immediate. The condition of the State is favorable, the demand is imperative and the obligation sacred.

The insane of the State have the right to call upon our government, that it stretch forth its arms, not merely to shelter, but to protect, and the righteous demand is not satisfied by a compromising expediency, which shrinks duty and stifles the cry of the unfortunate by a system inaugurated in the name of economy, but which experience has demonstrated to be unremunerative and the very reverse of that commendable virtue.

We concede that the present outlay would be large, but we should gain in bestowing more effective charity and ensure proper responsi-

bility, accompanied with the direct supervision of the executive officers of the government.

The people of Vermont are remarkably benevolent, philanthropic and charitable, and ought not to be satisfied with a throwing off of the burden of the care of its insane and committing that duty to a private corporation.

OREL COOK,
J. D. BRIDGMAN,
A. G. SAFFORD,
} Committee on part of Senate.

S. J. ALLEN,
C. G. ADAMS,
D. B. SMITH,
HERBERT E. KIDDER,
A. E. JUDEVINE,
O. S. SEARLE,
N. J. TOWSLEY,
} Committee on part of House.

REPORT OF THE TRUSTEES OF THE STATE LIBRARY.

To the General Assembly of the State of Vermont:

The trustees of the State Library, in pursuance of the requirements of law, report that the additions to the library since the last report have been as follows:

By exchange,	795	vols.
" purchase,	217	"
" donation,	60	"
Total,	1,072	"

There have also been received 180 pamphlets.

A list of the above is hereto appended, and also of the volumes and documents sent from the library in exchange during the past two years.

The Library now contains 18,614 bound volumes, exclusive of duplicates.

Since the last report there have been sold 279 copies of volume fifty one Vermont Reports, under the law of 1878, amounting to $947.35; and other books to the amount of $70.09; which sums have been paid to the Treasurer of the State.

It is asked that provision be made by law for the extension of the accommodations of the State Library in accordance with the recommendation of the Commissioners "to devise a plan for the better accommodation of the State Library, the State Cabinet and the collec-

tions of the Vermont Historical Society," made to the Governor in 1878 in their report.

Respectfully submitted,

ROSWELL FARNHAM,
President of the Board of Trustees.

HIRAM A. HUSE,
Secretary and Librarian.

Montpelier, Vermont, December 10, 1880.

LIST OF BOOKS RECEIVED AT THE VERMONT STATE LIBRARY FROM NOVEMBER 25TH, 1878, TO NOVEMBER 30TH, 1880.

BY EXCHANGE.

Alabama.

Code of Alabama, 1876; Alabama Reports, Vols. 53, 54, 55, 56, 57, 58, 59, 60, 61, 62; Laws of Alabama, 1878–9.

Arizona.

Session Laws of Arizona, 1879; Assembly Journal, 1879.

Arkansas.

Arkansas Reports, Vols. 31, 32, 33; Session Laws, 1879.

California.

California Reports, Vol. 53; Senate Journal, 1880; House Journal, 1880.

Canada.

Canada Supreme Court Reports, Vols. 1, 2, 3; Upper Canada Queen's Bench Reports, Vols. 43, 44; Statutes of Canada, 1879, 1880; Journals of the Senate, 1879, 1880; Journals of the House of Commons, 1879, 1880; Appendix [to] the House Journal, 1880; Sessional Papers, Vol. 12, 1879, 10 vols., Vol. 13, 1880, 11 vols; Census of Canada, 1870–71, Vol. 5; Selwyn's Geological Survey, Mesozoic Fossils, Vol. 1, Parts 1 and 2; Geological Survey of Canada, Report of Progress, 1877–8, with map; History of the Administration of the Earl of Dufferin in Canada; Are Legislatures Parliaments; Hannay's History of Acadia; The Loyalists of America and their Times, 1620–1826, 2 vols.

Colorado.

Colorado Reports, Vols. 3, 4; Session Laws, 1879.

Connecticut.

Connecticut Reports, Vols. 45, 46; Session Laws, 1879, 1880; The Practice act of Connecticut, with Rules and Forms; House Journals

1879, 1880; Senate Journals, 1879, 1880; Legislative Documents, 1879, 2 vols.; 1880, 2 vols.; Reports of the Board of Agriculture, 1878, 1879; Colonial Records, Vol. 11.

Dakota.

Dakota Reports, Vol. 1; Session Laws, 1879.

Delaware.

Houston's Criminal Reports, Vol. 1; Session Laws, 1879.

Florida.

Florida Reports, Vol. 16; Session Laws, 1879; Bush's Digest of Laws, 1872; Senate Journal, 1879; Assembly Journal, 1879.

Georgia.

Georgia Reports, Vol. 59.

Idaho.

Session Laws of Idaho, 1879; House Journal, 1879; Council Journal, 1879.

Illinois.

Illinois Reports, Vols. 85, 86, 87, 88, 89, 90, 91, 92, 93, 94; Session Laws, 1879; Senate and House Journals, 1879, 2 vols.; Reports to the General Assembly, 1879, 4 vols.; Agricultural Reports, 1876, 1877, 1878; Report of the Trustees of the Industrial University, 1875–6, 1877–8; Report of the Trustees of the Normal University, 1877–8; Report of the Secretary of State, 1878; Proceedings of the State Board of Equalization, 1878; Ins. Report, 1878; Report of the R. R. & W. Commission, 1878, 1879; Report of the Board of Public Charities, 1878; Report of the Attorney General, 1878; School Report, 1877–8; pamphlets, 30.

Indiana.

Indiana Report, Vols. 58, 59, 60, 61, 62, 63,64, 65, 66, 67.

Iowa.

Iowa Reports, Vols. 47, 48, 49, 50, 51; Session Laws, 1880; R. R. Commissioners' Report, 1878; Report of the Register of State Land Office, 1879; Criminal Returns of Iowa, 1878–9.

Kansas.

Kansas Reports, Vols. 20, 21, 22, 23; Session Laws, 1879; Public Documents, 1877–8; Agricultural Reports, 1877–8; Horticultural Society Report, 1878.

Kentucky.

Cofer's Digest of Sup. Ct. Reports, 1853–67; Session Laws, 1878, 2 vols.; School Reports, 1877–8; Auditor's Reports, 1876, 1877; Resources, Condition and Agricultural Report, 1879.

Louisiana.

Louisiana Annual Reports, Vols. 31, 31; Session Laws, 1879, 1880; Senate Journals, 1879, 1880; House Journals, 1879, 1880; Secretary of State's Report, 1879.

Maine.

Maine Reports, Vols. 67, 68, 69; Session Laws, 1878, 1879; Digest of Sup. Ct. Reports, 1820–79; Public Documents, 1879, 2 vols.; Legislative Documents, 1879.

Maryland.

Maryland Reports, Vols. 47, 48, 49, 50; Session Laws, 1880; Revised Code of Md., 1878; Testamentary Law and the Law of Inheritance and Apprentices in Maryland; Senate Journal, 1880; House Journal, 1880; Legislative Decuments, 1880; Wingate's Md. Register, 1874–6; Scharf's History of Md., 1600–1880, 3 vols.

Massachusetts.

Massachusetts Reports, Vols. 124, 125, 126, 127; Session Laws, 1879; Public Documents, 1878, 4 vols.

Michigan.

Michigan Reports, Vols. 37, 38, 39, 40, 41; Session Laws, 1879, 2 vols.; Senate Journals, 1877, 2 vols., 1879, 2 vols.; House Journals, 1877, 2 vols., 1879, 2 vols; Joint Documents, 1877, 3 vols., 1879, 3 vols.; Legislative Manual, 1879; Agricultural Reports, 1878, 1879; State Pomological Society Reports, 1878, 1879; State Board of Health Reports, 1877, 1878, 1879; Educational Reports, 1878, 1879; Catalogue of the State Library, 1879–80; Auditor Generals Reports, 1878, 1879; R. R. Commissioners' Reports, 1877, 1878; Registration Reports, 1873, 1874; Insurance Reports, 1879, 2 vols., 1880, 2 vols.; Farm Statistics, 1878–9; Michigan Pioneer Collections, Vol. 2; pamphlets, 7.

Minnesota.

Minnesota Reports, Vols. 24, 25; Revised Statutes of Minnesota, 1879; General Laws, 1877, 1878, 1879; Special Laws, 1868, 1871, 1873, 1874, 1875, 1876, 1877, 1878, 1879; Executive Documents, 1876, 2 vols., 1877, 3 vols., 1878, 3 vols.; House Journal, 1879; Senate Journal, 1879; Impeachment of Hon. Sherman Page, Judge of the 10th Judicial District, 3 vols.; pamphlets, 6.

Mississippi.

Mississippi Reports, Vols. 55, 56, 57; Session Laws, 1880; Revised Code of Mississippi, 1880; Senate Journal, 1880; House Journal, 1880; Department Reports, 1880.

Missouri.

Missouri Reports, Vols. 63, 66, 67, 68, 69; Session Laws, 1879; Revised Statutes of Missouri, 1879, 2 vols.

Nebraska.

Nebraska Reports, Vols. 8, 9; Session Laws, 1879; Senate Journal, 1879; House Journal, 1879; Sketches of the Physical Geography and Geology of Nebraska; Annual Report of the State Board of Agriculture and the State Horticultural Society, 1879.

Nevada.

Nevada Reports, Vols. 13, 14; Hawley's Digest of Supreme Court Reports; Session Laws, 1879.

New Hampshire.

General Laws of New Hampshire, 1878; Session Laws, 1878, 1879; Senate and House Journals, 1878, 1879; Legislative Reports, 1878, 1879; Hitchcock's Geology of New Hampshire, Vol. 3, with Atlas in sheets.

New Jersey.

New Jersey Law Reports, Vols. 40, 41; New Jersey Equity Reports, Vols. 29, 30, 31; Session Laws, 1878, 1879; Revised Statutes of New Jersey, 1709–1877; Senate Journals, 1878, 1879; Legislative Documents, 1878, 2 vols., 1879, 2 vols.; Minutes of the Provincial Congress and Council of Safety, 1775–76.

New York.

New York Reports, Vols. 70, 71, 72, 73, 74, 75, 76, 77, 78; Hun's Supreme Court Reports Vols. 21, 22, 23, 24, 25, 26, 27; Session Laws, 1879, 1880, 2 vols.; Senate Journals, 1878, 1879; Assembly Journals, 1878, 1879; Senate Documents, 1877, Vol. 5, 1878, 2 vols., 1879, 2 vols.; Assembly Documents, 1878, Vols. 1 to 7, 1879, Vols. 1 to 7; 27th, 28th, 30th, 31st Annual Reports of the Regents of the University on the State Museum of Natural History; 91st and 92d Report of the Regents of the University; Centennial Celebration of the State of New York; Natural History of New York, Vol. 5, Paleontylogy, Part 2 in 2 vols.; pamphlets, 5.

North Carolina.

North Carolina Reports, Vols. 79, 80, 81, 82; Session Laws, 1879; Laws of Special Session, 1880.

Ohio.

Ohio State Reports, Vols. 30, 31, 32, 33, 34; Session Laws, 1879; Revised Statutes of Ohio, 2 vols.; Senate Journal, 1879; House Journal, 1879; Executive Documents, 1878, 2 vols.; Geological Survey, Vol. 3, Part 1; Atlas of Geological Survey, in sheets; School Report, 1878; Agricultural Report, 1878; Auditor's Report, 1878; Railway Report, 1878; Adjutant General's Report, 1878; Ohio Statistics, 1878.

Oregon.

Oregon Reports, Vol. 6; Session Laws, 1876, 1878; General Laws

of Oregon, 1843–72; Educational Report, 1878; Report of the Secretary of State, 1878.

Pennsylvania,

Pennsylvania State Reports, Vols. 85, 86, 87, 88, 89; Session Laws, 1878, 1879; Senate Journals, 1878, 1879; House Journals, 1878, 1879; Executive Documents, 1877–8, 2 vols., 1878–9, 2 vols.; Legislative Documents, 1878, 7 vols., 1879, 5 vols.; Small's Legislative Hand Books, 1878, 1879; Catalogue of the State Library, 1878; Report of the Superintendent of Public Instruction, 1877; Pennsylvania at the Centennial Exhibition, 2 vols.; Harrisburg Visitors' Guide, 1876.

Quebec.

Statutes of Quebec, 1878, 1879, 1880; Council Journals, Vol. 11, 1877, Vol. 12, 1878, Vol. 13, 1879, Vol. 14, 1880; Assembly Journals, Vol. 11, 1877, Vol. 12, 1878, Vol. 13, 1879, Vol. 1880; Sessional Papers, Vol. 10, 1876, Vol. 11, 1877–8; Municipal Code of P. Q., 1871.

Rhode Island.

Rhode Island, Reports, Vol. 12; Public Laws, 1873–78; Acts, Resolves and Reports, 1878–9, 1879–80; Legislative Manual, 1878–9, pamphlets, 2.

South Carolina.

South Carolina Reports, Vols. 8, 9, 10, 11, 12; Session Laws, 1878, 1879–80; Senate Journals, 1878, 1879–80; House Journals, 1878, 1879–80; Reports and Resolutions, of the General Assembly, 1877–8, 1878, 1879–80; Report of the Investigating Committee on Public Frauds and the Election of Hon. J. J. Patterson to the U. S. Senate.

Tennessee.

Heiskell's Reports, Vols. 10, 11, 12; Lea's Reports, Vols. 1, 2, 3; Baxter's Reports, Vols. 4, 5, 6, 7; Session Laws, 1879; Laws of Extra Session, 1879; Senate and House Journals and Appendices, 1879, 4 vols.

Texas.

Texas Reports, Vols. 48, 49, 50, 51; Court of Appeals Reports, Vols. 4, 5, 6, 7, 8; Session Laws, 1879; Laws of Special Session, 1879; Revised Statutes of Texas, 1879.

Utah.

Compiled Laws of Utah, 1876.

Virginia.

Grattan's Reports, Vols. 29, 30, 31; Session Laws, 1878–9. 1879–80; Senate Journal and Documents, 1878–9; House Journal and Documents, 1878–9.

Washington Territory.

Washington Territory, Sup. Ct. Reports, Vol. 1; Session Laws 1879; Council Journal, 1877.

West Virginia.

West Virginia Reports, Vols. 12, 13, 13, 14, 15; Session Laws, 1879.

Wisconsin.

Wisconsin Reports, Vols. 44, 45, 46, 47, 48; Simmon's Wisconsin Digest, Vols. 2, 3; Session Laws, 1879, 1880; Revised Statutes of Wis., 1878; Senate Journals, 1879, 1880; House Journals, 1879, 1880; Message and Documents, 1879, 2 vols., 1880, 2 vols.

Wyoming Territory.

Wyoming Sup. Ct. Reports, Vol. 1; Session Laws, 1877, 1879; House and Council Journals, 1877, 2 vols.

United States.

Revised Statutes of the United States, 2d edition, 1878; House and Senate Journals, 1st session 45th Congress, 2 vols., 2d session 45th Congress, 2 vols.; House Journal, 3d session 45th Congress, 1st session 46th Congress; Documents, 1st session 44th Congress, 2 vols., 1st session 45th Congress, 6 vols., 2d session 45th Congress, 41 vols.; Annual Reports of the Postmaster General, 1877, 1878; Survey of the Northern Boundary of the United States from the Lake of the Woods to the Summit of the Rocky Mountains, with accompanying maps; Le Congrès Pènitentiarie International de Stockholm, 1878, Tome Premier; International Monetary Conference Report in Paris, 1878; Foreign Relations of the United States, 1879; Annual Report of the Directors of the Mint, 1873–79 (6 pamphlets); Letters, &c., in reference to Specie Resumption and Refunding of the National Debt; Annual Report of the United States Life Saving Service, 1879; United States Coast Survey, 1876; Official Register of the United States, 1871, 1873, 1875, 1879, 2 vols.; Birds of the Colorado Valley; Atlas of Colorado; United States Geological and Geographical Survey of the Territories, 2 vols.; Department Register, 1877; Index to Agricultural Reports, 1837–76; Powell's Report on the Arid Regions of the United States; Gilbert's Report on the Geology of the Henry Mountains; 5th, 6th, 7th, 10th Annual Reports of Hayden's Survey of the Territories; Specifications and Drawings of Patents from July, 1878, to June, 1880, 24 vols.; Official Gazette of the United States Patent Office, Vols. 9, 10, 11, 12, 13, 14, 15, 16; Index to the Official Gazette of the United States Patent Office, 1875, 1876, 1877, 1878; Annual Reports of the Chief of Ordinance, 1878, 1879; Medical and Surgical History of the Rebellion, Vol. 1, pt. 1; American Ephemeris and Nautical Almanac, 1880; United States Geological Survey of the 40th Parallel, Vol. 1; Report of the Chief

of Engineers, 1878, 3 vols., 1879, 3 vols.; Wheeler's Geographical Survey of the 100th Meridian, Vol. 6; Professional Papers of the Corps of Engineers, Nos. 13 and 15, 3 vols.; Wheeler's Topographical Atlas of the Geographical Explorations and Surveys west of the 100th Meridian (sheets); Report of the Commissioner of Education, 1877; Postal Laws and Regulations, 1879; Official Army Register for January, 1880; Astronomical and Meteorological Observations, 1863, 1874, 1875; Astronomical Observations, Vol. 3, 1847; Meteorological Observations, 1872–75, 4 vols.; Results of Observations with Transit Instruments, &c, 1853 to 1860; Catalogue of 1963 Southern Stars: Mural Zones, 1846–49; Longitude of St. Louis, Mo.; Report on Encke's Comet, 1871; Equatorial Fundamental Stars, &c., Transit Zones, 1846–49; Meridian Circle Zones, 1847–49; Catalogue of 10,658 Stars; Reduction Tables for Transit Observations; Uranian and Neptunian System; Longitude of Detroit, Carlin and Austin; Longitude of Ogden, Utah; Longitude of Sayre Observatory; Motion of the Moon, pt. 1; Instructions for Total Solar Eclipse, 1878; Report of Telescopic Observations of the Transit of Mercury, 1878; pamphlets, 38.

Smithsonian Institution.

Smithsonian Contribution to Knowledge, Vol. 22; Smithsonian Miscellaneous Collections, Vols. 13, 14, 15, 16, 17; Report of the Board of Regents, 1877, 1878; Bulletin of the United States National Museum, Vol. 1; Brazilian Biographical Annual, Vols. 1 and 3; The Argentine Republic.

E. S. Dana, New Haven, Vt.

Voorhee's Annotated Code, (N. Y.) 1860; United States Consular Regulations.

Missouri State University, Columbia, Mo.

Catalogue of the University, 1877–78; Report of the Board of Curators, 1878; Annual Report of the State Board of Agriculture, 1878.

Alabama State Geologist.

Geological Survey of Alabama Report of Progress, 1874–7, 48 pamphlets.

Wm. Clogston.

Arnold's Poems; Ballou's Treatise on Atonement; Experience of Several Methodist Preachers; Sermon Preached in Royalton, Vt., at the Ordination of Rev. Azel Washburn, 1789, (pam.); Life of Dr. Benj. Franklin; Sermons, Addresses and Exhortations of Rev. Jedediah Burchard, by C. G. Eastman; New England Cookery; The Process and Empire of Christ, a poem; Life, &c., of John Colby; Harvey's Meditations Among the Tombs; Life and Times of Patrick Gass; The Plume, a Tuft of Literary Feathers; Vermont Pamphlet Sermons, Addreses, &c., 27.

R. B. Field, Jericho, Vt.

U. S. Pamphlets, 3; Vt. Pamphlets, 22.

Dr. H. A. Cutting.

Geological Survey of Pennsylvania, 3 vols.

Ind. Bureau of Statistics and Geology.

8th, 9th and 10th Annual Reports of the Geological Survey of Ind., 1876–78, in 1 vol.

Little, Brown & Co., Boston.

East's Report, 16 vols. in 8; Modern Reports, 12 vols.; Life and writings of Hon. B. R. Curtis, 2 vols.

R. S. Taft, Burlington, Vt.

Vt. Reports, Vols. 24 and 37.

Wisconsin State Historical Society.

Catalogue of the State Historical Society Library, Vols. 3 and 4; Tansactions of the State Agricultural Society, 1878–9; Annual Report of the State Superintendent, 1878; Transactions of Northern Wis. Agricultural and Mechanical Association, 1878–9; Wis. Historical Collections, Vol 8.

St. Louis Public School Library.

St. Louis Mayors' Messages and Accompanying Documents, 1870–79, 10 vols; Report of the Board of Public Schools, 1871–2, 1872–3, 1874–5, 1878–9; Pamphlets, 3.

Vt. Historical Society.

Bross' History of Chicago; Trial of the Officers and Crew of the Privateer Savannah, on the charge of Piracy.

American Antiquarian Society.

Proceeding of the Society, 1870–79, 3 vols.

BY PURCHASE.

Little, Brown & Co., Boston.

Abbott's New Cases, Vols. 4, 5, 6, 7; New York Superior Court Reports, Vols. 43, 44, 45; Benedict's U. S. Reports, Vol. 8; Alabama Reports, Vols. 11 and 53; Blatchford's C. C. Reports, Vols. 14, 15, 16; Murphy's (N. C.) Reports, Vol. 1; Howard's Practice Reports, Vols. 56, 57, 58; Otto's U S. Sup. Ct. Reports. Vols. 7, 8, 9, 10, 11; U. S. Digest, Vol. 15; Table of Cases; U. S. Annual Digest, Vol. 9,

1878, Vol. 10, 1879; Hughes' C. C. Reports, Vol. 3; U. S. Court of Claims Reports, Vols. 7, 8, 9, 10, 11, 12, 13, 14; Dillon's C. C. Reports, Vol. 4; Bissell's C. C. Reports, Vol. 7; Sawyer's C. C. Reports, Vol. 5; Wood's C. C. Reports, Vol. 3; Beavan's Reports, 36 vols.; Gilpin's U. S. Reports, 1 vol.; Georgia Reports, Vol. 33; Smith's (Ind.) Reports, 1 vol.; Daly's (N. Y.) Reports, Vols. 7, 8; Cincinnati Superior Court Reports, 2 vols. in 1; Baxter's (Tenn.) Reports, Vols. 1, 2, 3; Cooper's Chancery (Tenn) Reports, Vols. 1, 2; Coleman's Cases; Smith's (N. H.) Reports, 1 vol.; Moses' Compiled State Insolvent Laws; High on Extraordinary Remedies; Williams on Executors, 3 vols.; Abbott's Law Dictionary, 2 vols.; Jones on R. R. Securities; Brice's Ultra Vires; Freeman on Judgments; Poore's Political Register and Congressional Directory; Sumner's Works, Vol. 13.

Scribner's Sons, New York.

Bryant's Popular History of the United States, Vols. 2, 3; Encyclopedia Britannica, Vols. 1 to 11; Froude's Cæsar; Froude's Life and Times of Thomas Becket.

Brinley Sale, New York.

24 rare Vermont pamphlets.

J. Sabin's Son, New York.

Bibliotheca Americana, Vols. 7, 8, 9, 10, 11, 12; Catalogue of the "Brinley Sale;" 2 vols. pamphlet.

American Book Exchange, New York.

American State Papers, Military Affairs, Vols. 1 and 2; Stanley's Through the Dark Continent, 2 vols.; Dean's Lectures on Phrenology; The Partisan Leader, Vol. 1.

Prince Society, Boston

Champlain's Voyages, Vol. 2.

Wm. Haswell, Bennington, Vt.

Vermont Gazette, 1789 to 1846, in 25 vols.

D. Appleton & Co., New York.

Index to the American Cyclopedia; Art Journal, Vols. 1, 2, 3, 4, 5; North American Review, 1878, 1879, 4 vols.

State Street Book Club, Montpelier, Vt.

Mycenæ and Tirgnes.

Wm. Wood & Co., New York.

Wharton & Stille's Medical Jurisprudence, 3 vols.; Holmes' System of Surgery, 5 vols.; Bock's Atlas of Human Anatomy; Ziemssen's Cyclopedia of the Practice of Medicine, Vols. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19.

J. K. Davis.

Johnson's Natural History, 2 vols.

T. C. Phinney, Montpelier, Vt.

Memoirs of Prince Meternich, 1773–1815, 2 vols.; Spofford's American Almanac, 1880; Biographical Register of the Officers and Graduates of the U. S. Military Academy, 1802–1878, 3 vols.

H. A. Cutting.

Ferns of North America, 2 vols.; Howard & Crocker's History of New England; Figuire's Birds and Reptiles, Birds of North America, 3 vols.

A. Williams & Co., Boston.

Preble's History of the Flags of the U. S.

Houghton, Mifflin & Co., Boston.

Atlantic Monthly, Vols. 40, 41, 42, 43, 44.

J. E. Potter & Co., Philadelphia.

Potter's American Monthly, 1879, 1880.

H. Fowkes.

Cassell's Shakespeare, 2 vols.

Banks Brothers, New York.

Revised Statutes of New York, 1875, 3 vols.

Miscellaneous.

Invasion of Canada, 1775; Vermont Historical Gazetteer, Vol. 3.

BY DONATION.

James Nesbitt, Grand Secretary, Troy, Ohio.

Proceedings of the Grand Commandry of Knights Templar of Ohio, 1878; Proceedings of the Grand Chapter of Royal Arch Masons of Ohio, 1878.

Abby M. Hemenway, Author.

Clark Papers; Mrs. Meech and her Family.

Hon. John Day, Surveyor General of Nevada.

Bancroft's Native Races of the Pacific States, 5 vols.

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BOOKS SENT FROM LIBRARY IN EXCHANGE SINCE LAST REPORT.

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The same except the 50th and 51st Vermont Reports, and Vols. 6 and 7, Governor and Council, to American Geographical Society, American Antiquarian Society, Astor Library, Boston Public Library, Chicago Historical Society, Dartmouth College, Essex Institute, Georgia Historical Society, Grosvenor Library, Harvard University, Ohio Historical and Philosophical Society, Long Island Historical Society, Library of the Senate of the United States, Maine Board of Agriculture, Maine Historical Society, Massachusetts Historical Society, Middlebury College, New Hampshire Historical Society, New York Historical Society, Norwich University, New England Genealogical and Historical Society, Pennsylvania Historical Society, Rhode Island Historical Society, Smithsonian Institution.

REPORT OF JOINT COMMITTEE ON THE LIBRARY.

To the General Assembly now in session:

The Joint Committee on the Library, to whom was referred Senate resolution "That so much of the Governor's Message as relates to the extension of the Capitol be referred to the Joint Committee on the Library," report that they have considered the same and respectfully submit the following, viz.:

At the session of the General Assembly in 1876 its attention was called to the inadequate accomodations provided for the Library, the collections of the Vermont Historical Society and the State Cabinet of Natural History.

A joint resolution was passed providing for the appointment of three commissioners "to devise a plan for the better accommodations and utility of the State Library, the State Cabinet and the collections of the Vermont Historical Society and to prepare designs and make estimates of the same and report to the next Legislature."

Under that resolution the Hon. Timothy P. Redfield, the Hon. G. G. Benedict and the Hon. Roswell Farnham were appointed commissioners.

The commissioners thoroughly investigated this whole subject and reported their conclusion to the Legislature of 1878. Two methods for attaining the desired end were suggested in their report, together with plans and estimates for each.

One of the plans contemplated the erection of a separate building at an expenditure of $65,000; the other, an extension of the Capitol, at an expenditure of $75,000. For reasons set forth at length in their report (on page 480 of House Journal for 1878) "the commissioners, after full consideration of the advantages and disadvatages of the various plans, are unanimously of the opinion that the true course to be taken is to extend the present State House in some manner."

Your committee fully coincide with the commissioners in their opinion in reference to this matter. There is a demand for additional committee rooms for the use of the Legislature. Committees are often obliged to resort to the Senate Chamber and Representatives' Hall for the transaction of business connected with legislation; and are sometimes unable to secure any room at all.

The proposed extension, if carried out, will afford some relief in this direction, and to some extent tend to facilitate legislation. The Library now has shelf room for about 12,000 volumes. In 1858 it contained 3,500 volumes exclusive of duplicates.

The accessions have averaged six or seven hundred books a year since.

The trustees' report dated December 10, 1880, give 18,614 as the number of bound volumes in the Library, exclusive of duplicates and pamphlets. Between six and seven thousand volumes, not duplicates, cannot now be placed on the shelves in the Library.

Part of these books are piled on the floor in the alcoves and in the gallery above, the balance of them is stored in the committee rooms below and in the dome over the vestibule of the Representatives' Hall.

They are necessarily inconvenient of access and to some extent useless for purposes of investigation and consultation. The capacity of the dome for storage purposes is already exhausted; it being deemed unsafe to place any greater weight in that part of the building.

The books on the floors in the alcoves and gallery are so placed that many of those on the shelves cannot be readily reached when wanted. Those in the dome are piled up and scattered in a way that renders it difficult to find what is sought for.

The use made of the Library has increased largely in the past twenty or twenty-five years. The development of new and varied interests within the State and in the country at large has made this a necessity.

As the indispensable adjunct of the Judiciary and the Legislature, the utility of the Library should be enhanced by all proper and lawful means.

The State Cabinet and collections of the Vermont Historical Society suffer equally with the Library for want of adequate room. They cannot be kept much longer in their present condition without serious damage and probable loss. It is utterly impossible to properly arrange, exhibit or safely preserve these valuable collections in the limited space now allotted them.

The attention of the Legislature has been repeatedly called to this subject. The reasons given for delay, heretofore, have been that the times were hard and the State in debt. These reasons do not exist now. The State is out of debt, and all her interests in a prosperous condition and likely to continue so for a term of years to come.

Is it wise to longer postpone this matter? Shall we, like our predecessors, push this question further into the future and thus shirk our own responsibility and impose it upon our successors? Shall we not by so doing assume a greater responsibility—that of taking the risk of serious injury or loss to either of the collections interested? They are of inestimable value to the State. Once lost they are lost forever. No amount of money can ever replace them. The State is the natural and legal guardian of these collections, and is in duty bound to properly care for them.

The credit of the State stands high to-day, and the amount called for to carry out the plan of extension proposed by the commissioners in 1878, need not necessarily be burdensome. Its payment can be extended through any desired number of years.

In the decision of this question, consideration for the future should be regarded as well as the present. The future is before us, the present will soon be behind us. Is it not, then, the part of wisdom for us to see to it that no detriment come to the State by reason of unwise or illiberal legislation at our hands? "There is that scatter-

eth and yet increaseth and there is that withholdeth more than is meet, but it tendeth to poverty."

Your committee, being fully convinced that the best interests of the State demand that the State Library, the State Cabinet and the Vermont Historical Society should be relieved from their present embarrassment, recommend that such legislation be enacted as shall carry out the plan for the extension of the State House proposed by the commissioners and submitted to the Legislature in 1878.

And your committee offer the accompanying bill as a part of their report and recommend its passage.

Respectfully submitted.

R. D. KING, FRED G. FIELD, } Joint Committee on the Library on the part of the Senate.

A. G. PARKER, HENRY PRIEST, C. W. HASKELL, } Joint Committee on the Library on the part of the House.

REPORT OF SPECIAL COMMITTEE ON SENATE BILL 108.

SENATE CHAMBER,
Montpelier, Dec. 14, 1880.

To the Honorable Senate now in session:

The Special Committee to whom was referred Senate bill 108, entitled

"An act to commute the sentence of Edwin C. Hayden,

Respectfully report that they have fully heard all evidence and arguments produced by the respective parties in interest.

The killing of Mrs. Hayden was conceded upon the hearing to have been brutal, barbarous, and committed without the least provocation; nor was it surrounded with any extenuating circumstances whatever, and the extreme penalty of the law none too severe unless Hayden, at the time of the commission of the act was irresponsible by reason of mental derangement.

The question of his insanity was submitted to the jury in the trial of his case upon the indictment, who found him guilty of murder in the first degree. The Supreme Court subsequently decided that the trial proceeded regularly and that there was no error in the proceedings in the trial before the jury. Your committee find that the jury were warranted in finding the verdict upon the testimony before them, and were there no additional facts presented, the bill to commute the sentence should be summarily dismissed.

Mr. Hayden has, however, submitted certain facts by way of oral testimony, the witnesses being examined before us, and also a large number of affidavits taken *ex parte*.

This oral testimony and affidavits tends to show that Hayden was insane, and if the facts stated in the affidavits should not be shaken by cross-examination, and the facts claimed be believed by the jury, there might be a reasonable doubt as to his sanity which he would be entitled to have the benefit of.

The testimony tended to show that the respondent and his wife were married in 1871, when she was only eighteen years old; that they had not lived happily together and in 1875 had separated by reason of his excesses, although they from time to time met each other pleasantly and clandestinely at the house of a friend; and that in the early part of 1876 it was agreed that if Hayden should stop his course of dissipation and drunkenness and conduct himself properly until September 1st, 1876, they would then again live together, and that he did so conduct himself. That for some reason, right or wrong, she declined to carry out this arrangement.

This fact, if it be one, was not in evidence before the jury; but on the contrary some members of her family testified that if such was the fact they did not know it.

It was claimed before us that this new feature was such a combination of exciting domestic trouble and the conceded hereditary tendency to insanity on his part as to afford a very violent presumption in favor of legal irresponsibility for his acts.

Other evidence was introduced tending to show that Hayden, under excitement, had been insane since his conviction. Many of these instances have occurred since that conviction, and for that reason were not available on the trial in Court.

We express no opinion on the subject of the effect of the testimony offered. We say that, apparently, it is of importance in determining the question of his sanity, and we do not find but that he was dilligent in his endeavor to present all his case at the time of trial.

The law of 1878 provides, however, an ample remedy where there is newly discovered evidence in cases of this kind, and we think that the Legislature is not the place to try and determine such questions on *ex parte* affidavits when a proper tribunal has been provided.

We do not doubt the power of the Legislature, but we question the propriety of the exercise of the power under the special circumstances of this case, for the reasons above stated and because the remedy to be afforded by the proposed legislation is not in accord with the defence suggested by the new evidence.

If the defence prevails, and his insanity be established, it would not be in accordance with our laws to imprison him in the State Prison during life. In other words, the remedy to be applied by the Legislature is not in accord with the settled principles of the law, that an insane man is not amenable to punishment, but is liable to restraint under supervision of the State. It is not claimed that Hayden was partially affected and the sentence too severe, but that he was totally irresponsible.

We therefore recommend that the bill ought not to pass, but that the following resolution be passed:

Resolved, That the Secretary of the Senate be and he is hereby directed to turn over to the counsel for Edwin C. Hayden the copy of the testimony taken at his trial before the jury in 1877, to enable him to make application to the Court for a new trial.

A. G. SAFFORD, Chairman,
For Committee.

REPORT FROM THE AUDITOR OF ACCOUNTS, RELATIVE TO FEES OF COUNTY CLERKS.

To the President of the Senate:

In compliance with a resolution adopted by the Senate, "requesting the Auditor of Accounts to furnish the President of the Senate for the use of the Senate a statement showing the net amount paid to each County Clerk," etc., I have the honor to submit the following statement:

Counties.	1877	1878	1879	1880	Average
Addison	$819 84	$760 11	$985 87	$650 66	$804 12
Bennington	1178 12	1587 19	1215 51	1050 76	1257 89
Caledonia	1310 14	1586 34	1320 19	1305 26	1380 48
Chittenden	1533 97	1494 33	1440 17	1391 80	1465 07
Essex	608 88	539 21	545 38	413 82	526 82
Franklin	1289 66	1137 41	1122 43	1156 80	1176 57
Grand Isle	195 76	230 50	218 10	204 43	212 20
Lamoille	958 33	941 93	739 93	637 33	819 38
Orange	1176 21	954 45	1000 72	1059 71	1047 77
Orleans	1375 65	1043 61	902 79	776 89	1024 72
Rutland	1722 89	1729 98	1425 56	2230 52	1777 24
Washington	1275 34	1452 12	1495 15	1723 47	1486 52
Windham	986 45	870 63	603 79	928 15	847 25
Windsor	1035 08	1194 14	918 92	955 57	1025 93

The foregoing figures cover the full accounts of the several County Clerk against the State for the years named, and in some cases—perhaps all—include certain small disbursements in State causes, and items for postage and express charges, the exact amount of which cannot be determined from any figures in this office.

Respectfully submitted,

E. HENRY POWELL,
Auditor of Accounts.

STATE OF VERMONT.

By REDFIELD PROCTOR, Governor,

A PROCLAMATION.

The custom of our fathers, honored in our State by constant observance and endeared to all of us by many sacred associations, sets apart a day at this season for grateful acknowledgment to Divine Providence of our many blessings.

In recognition of this hallowed usage, and in accordance with the recommendation of the President of the United States, I appoint THURSDAY, THE TWENTY-SEVENTH DAY OF NOVEMBER INSTANT, as a day of public Thanksgiving and Praise.

Let us on that day rest from our labors, and in public worship, as well as at our firesides, give thanks to God for the great blessings which have crowned the year—for life and health; that peace prevails and law and order reign; for a government based on the intelligence and virtues of its citizens; for its preservation through many trials and dangers in the past, and our reasonable faith and hope that under God's care and the watchfulness of the people it will still live, free and strong; for the steadfast patience and purpose of our people and rulers which has restored us to financial equality with the standards of the commercial world, and given new life to all honorable enterprise; that the waste of war has been in a great measure restored; that labor is employed and now meets with fit recompense; that the husbandman has been rewarded by a harvest bounteous beyond precedent; that "the pastures are clothed with flocks and the valleys also are covered over with corn;" and for the return of general prosperity, based as all true prosperity must be, on public and private honesty and good faith and an earnest and intelligent industry and frugality.

We are, indeed, repeating an ancient ceremony of this feast of the harvest, waving the rich fruits of our abundance toward the four quarters of the world.

And in our rejoicing let us remember the blessing promised to the bountiful eye, the cheerful giver, and to him that considereth the poor, and in all ways give practical expression to our gratitude, showing forth His praise not only with our lips but in our lives.

Given under my hand and the seal of the State, in the Executive Chamber at Sutherland Falls, this fifth day of November, in the year of our Lord one thousand eight hundred and seventy-nine, and of the Independence of the United States the one hundred and fourth.

[L. S.] REDFIELD PROCTOR.

By the Governor,

HARRY P. STIMSON,

Secretary of Civil and Military Affairs.

STATE OF VERMONT.

By REDFIELD PROCTOR, Governor.

A PROCLAMATION.

An all-wise Creator has commanded his creatures everywhere and in all time not to forget Him, the Author of their being and the Giver of every good and perfect gift.

"Then beware lest thou forget the Lord." This command comes no less to States and Nations than it does to individuals, and their obedience is sure to bring the same reward, for "Righteousness exalteth a nation," and "Blessed is the nation whose God is the Lord."

The people of old, with one accord, were wont to observe their days of prayer and fasting as well as times of praise and feasting, and the custom has lived through all the generations since. It is surely as fittting now as it was two thousand years ago to set apart such days, for our relations to an overruling Providence have not changed—"He is the same yesterday, to-day and forever"—and we are just as dependent upon His bounty and His blessing.

In accordance, therefore, with the spirit of the Divine command, and the hallowed custom of our forefathers, I hereby appoint FRIDAY, THE NINTH DAY OF APRIL NEXT, to be kept throughout this State as a day of fasting, humiliation and prayer.

Let us observe the day in proper spirit of true devotion; let us rest from our ordinary labors, and in our homes, or in our places of public worship, humbly acknowledge our dependence upon the God who rules over all. Let us seek His blessing on our State and Nation. and pray that the bounteous harvests of the past may be continued and the land again be blessed with plenty; that our hearts may be inclined to remember those who are suffering from famine and pestilence, and to contribute from our abundance for their relief; that we may be saved from the sins of pride and ungodliness, of extravagance and lawlessness which too often result from returning prosperity.

Let us ask, especially, that the Nation may be safely guided and kept unharmed through the political contests of the year, and our actions may conform to the immutable principles of Divine law.

It is a fit time for every man to pause and make careful examination of his political course, and make sure that he is actuated by love of country, and that his motives are pure and high, and his acts in intelligent accord therewith. Then will the voice of the people be indeed the voice of God.

Given under my hand and the seal of the State, in Executive Chamber at Sutherland Falls, this thirtieth day of March, in the year of our Lord one thousand eight hundred and eighty, and of the Independence of the United States the one hundred and fourth.

[L. S.] REDFIELD PROCTOR

By the Governor,

HARRY P. STIMSON,

Secretary of Civil and Military Affairs.

STATE OF VERMONT,

By ROSWELL FARNHAM, Governor,

A PROCLAMATION.

Another year has nearly completed its circle of months and the not altogether inclement winter of the north is close upon us with its snows and storms, its brilliant days and peculiar pleasures. As we look back over the seasons of the present year that are already gone we see much for which to be thankful to Him who has hung the planets in their orbits and caused the ever changing seasons of the year to follow one another in regular and unchanging succession, thus making the life of man not only possible but full of enjoyment and confident hope of continued temporal blessings. We may be thankful always that our lot is cast among these hills and mountains, whose peaks, whether sunlit or cloud capped, are a perpetual praise to their Creator; thankful always for free schools, liberty of conscience and of expression in religion and politics, pure courts, Christian churches in every township; and thankful that we are governed by laws of our own creation, subject to be changed by the people, and executed by rulers of our own choice, who must answer to the people for all their acts. But we have especial cause for thanksgiving at this time, that the year now drawing to its end has been so full of prosperity and blessings for our people; that we have been spared wasting disease; that the spring opened with promises of abundance which the summer and autumn have so lavishly fulfilled; that business and enterprise have been prospered; that the social, educational and religious interests of the people are advancing; and that we have safely passed another great periodical struggle for the chief magistracy of the nation.

Now, therefore, in compliance with the beloved custom of our forefathers, and in accord with the president of the United States, I hereby appoint THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER, INSTANT, as a day of praise and thanksgiving for the many blessings vouchsafed to us as individuals, and as a State, and I recommend that the people of this commonwealth on that day, laying aside their ordinary vocations, assemble in their usual places of worship for prayer, thanksgiving and praise.

In witness whereof I have hereunto signed my name, and caused the seal of the State to be affixed in Executive Chamber at Montpelier, this ninth day of November, in the year of our Lord one thousand eight hundred and eighty, and of the independence of the United States the one hundred and fifth, and of the independence of this Commonwealth the one hundred and fourth.

ROSWELL FARNHAM.

By the Governor,

LESTER F. THURBER,

Secretary of Civil and Military Affairs.

Brownell, C. W., Jr., elected Secretary of the Senate, 4.
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Butler, Thomas, act to pay, H. 93.
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3. An act authorizing the Village of St. Johnsbury to refund its outstanding notes or bonds, 17, 29, 68, 89.
4. An act to repeal a portion of chapter eighty-three of the General Statutes relating to the grand list, 18, 56.
5. An act to repeal an act entitled "An act in relation to the catching of fish in Maidstone Lake, in the County of Essex," approved November 26, 1878, 19, 72, 119, 124, 129.
6. An act to authorize the trustees of Chester Academy to convey the academy and other property, 19, 66, 86, 89, 95.
7. An act to equalize taxation, 19, 133, 135.
8. An act to construe section three of an act to assess and tax railroads, approved November 28, 1876, and to relieve towns misled thereby, 26, 71, 100, 109, 357.
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10. An act to amend an act entitled, "An act to pay expenses of the Reform School," approved November 28, 1876, 27, 366.
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21. An act to establish a State Board of Health and Vital Statistics, 34, 83, 88.
22. An act to abolish the office of railroad commissioner, 34, 92, 220, 242, 259, 272, 282, 287.
23. An act to amend sections ten and twelve of the Session Laws of 1876, entitled "An act concerning dogs, and for the protection of sheep and other domestic animals," 34, 87, 92, 227, 236, 258, 271.
24. An act to repeal an act in amendment of chapter ninety-four of the General Statutes, approved November 13, 1869, 44, 79, 81.
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30. An act in amendment of and in addition to section two of an act providing for a change of venue in certain cases, approved March 9, 1865, 57.
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32. An act relating to a change of venue, 57, 91, 94, 220, 247, 250.
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34. An act providing for the printing of the messages of the Governor and the Governor elect, 58, 400.
35. An act to pay Oscar E. Heald the sum therein named, 58, 85, 109, 114, 119.
36. An act granting certain rights to the proprietors of Piermont Bridge Company, 58, 82, 108, 111, 114.
37. An act to repeal an act in amendment of an act to incorporate the Vermont State Agricultural Society, 58, 66, 86, 89, 95, 364.
38. An act in amendment of section four of chapter ninety-four of the General Statutes, 58, 102, 122, 125, 128, 268.
39. An act to repeal an act providing for the mortgage of personal property, 65, 75.
40. An act laying a tax on the County of Grand Isle, 69, 91, 94, 189, 217, 246.
41. An act to encourage manufactures and to repeal acts therein mentioned 70, 176.
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43. An act to regulate practice in the courts of chancery, 74, 111.

44. An act in relation to persons confined in the State Prison, 74, 77, 81, 122, 127, 141, 144.
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46. An act to amend sections ten and eleven of number ten of the public acts of 1866, 75.
47. An act to amend and consolidate the charter and laws relating to the Bellows Falls village corporation, 75, 120, 147, 177, 208.
48. An act to commute the sentence of Royal S. Carr, 75, 340.
49. An act relating to the duties of the adjutant and inspector general, 76, 140, 144, 256.
50. An act in relation to the duties of town clerks, 76, 86, 91, 109, 114, 119.
51. An act to change the name of the Rutland County Trust Company and to amend the act incorporating the same, approved November 8, 1872, 79, 83, 159, 177, 208.
52. An act for the protection of indorsers, 80, 111.
53. An act establishing the salaries of certain State officers, 80, 140, 161, 203.
54. An act to pay Gilbert A. Davis the sum therein named, 80, 151, 173, 177, 190.
55. An act in amendment of number sixty four of the acts of 1876, relating to appeals from justices of the peace, 80, 101, 105, 265, 267, 271.
56. An act in amendment of the charter of the Farmers' and Mechanics' Savings Institution and Trust Company, 80, 88, 119, 124, 129.
57. An act to repeal section three of chapter twenty-nine of the General Statutes, 84, 103, 105, 150.
58. An act to pay James G. Bates the sum therein named, 84.
59. An act relating to freemen's meetings and fixing a time after which no alterations can be made in a check list, 84, 103, 105, 275, 286, 292.
60. An act relating to the military history of Vermont, 84.
61. An act to compel school districts to provide instruction for their legal scholars, 84, 152, 153, 156, 232, 275, 286, 292.
62. An act fixing the salary of the judge of probate in the district of Lamoille, 84, 102.
63. An act to repeal an act to incorporate the village of Cabot, 84, 170.
64. An act vesting police power and punishing depredations upon fair grounds, 84, 113, 121, 265, 269, 282, 321.
65. An act relating to signatures of judges of supreme court, 85, 108.
66. An act to pay N. F. Dunshee the sum therein named, 85, 149, 173, 175, 374, 376, 386.
67. An act for the protection of domestic animals, 89, 319.
68. An act in relation to attachments of personal property, 90.
69. An act to incorporate Enosburgh Falls Savings Bank, 90, 112, 123, 148, 177, 208.
70. An act to change the name of the town of Ely to that of Vershire and to repeal an act entitled "An act altering the name

of the town of Vershire to that of Ely," approved November 26, 1878, 90, 267.
71 An act to pay I. M. Tripp, administrator of George R. Chapman's estate, the sum therein named, 90, 102, 119, 124, 129.
72. An act in relation to levy of execution on personal property, 90.
73. An act to exempt property from taxation, 91, 96, 209, 363, 372.
74. An act relating to taxation, 91.
75. An act to pay the Rutland County National Bank the sum therein named, 91, 110, 138.
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77. An act to abate and suppress nuisances, 95.
78. An act to amend section six of chapter eighty-three of the General Statutes, 95, 108, 123, 186, 196, 235, 246.
79. An act to enable the Sand Bar Bridge Company to issue preferred stock for the purpose of building a highway and bridge, 96, 177, 206, 247, 250.
80. An act allowing the libelant and libelee in cases of divorces to be witnesses, 96, 108, 116, 133, 224.
81. An act to pay Tuttle & Company of Rutland the sum therein named, 98, 112, 116, 150, 177, 208.
82. An act relating to the discharge of mortgages, 98, 131.
83. An act simplifying indictments and informations for perjury and subornation of perjury, 98, 120, 125, 235.
84. An act to incorporate the Strafford Mining Company, 98, 149.
85. An act to change the name of Nathan Philo Carson to Nathan Philo Ladd, 100, 298.
86. An act to repeal act number fifty nine of the laws of 1868, 103, 112, 117.
87. An act to pay Robinson & Marsh the sum therein named, 104.
88. An act in amendment of section one of an act relating to sentences to the Reform School, approved November 22, 1870, 104, 234.
89. An act providing for subscription to and completion of the Vermont Historical Gazetteer, 105, 166.
90. An act to prevent justice from being defeated by clerical or verbal inaccuracies in indictments for forgery or counterfeiting, 105, 128, 136, 137, 265, 267, 285.
91. An act regulating the movement of trains at the crossing of one railroad by another railroad, 107, 220, 234, 275, 286, 292.
92. An act in relation to the location of the Montpelier & White River Railroad, 107, 232.
93. An act to abate and suppress nuisances, 107, 121, 126, 224, 225, 269, 276, 308, 346, 348.
94. An act to protect indorsers and sureties, 111, 115, 116, 119, 207, 210, 212, 247, 250.
95. An act to regulate practice in the suits of chancery, 111, 114, 121, 132, 134, 262, 267, 268, 333.
96. An act changing the name of Catherine MacDonalds and making her heir-at-law of Josiah Bohannon and Anna Bohannon, 107, 300
97. An act to amend an act to incorporate the St. Albans Manufac-

turing Company, approved November 9, 1865, 113. 132, 357, 376, 381.
98. An act in amendment of and in addition to chapter ninety-nine of the General Statutes relating to nuisances, 114, 204, 205, 283, 321.
99. An act to repeal an act entitled "An act in addition to and amendment of an act changing the name of and relating to the Northfield Cemetery Association, approved November 11, 1869, approved November 28, 1876, 114, 232, 353, 359, 381.
100. An act to amend section fifty-four of chapter thirty of the General Statutes relating to the accounts of executors, trustees and others, 118.
101. An act allowing municipal corporations to refund or renew their outstanding obligations, 122, 132, 141, 146, 201, 217, 246.
102. An act in relation to the files and records of the municipal court of St. Albans, 128, 135, 137, 148, 177, 191.
103. An act to change the names of Mary Addie Morrison and Minnie Ellen Morrison, 128, 194.
104. An act for the removal of obstsuctions in certain portions of Lamoille River, 130, 277, 342.
105. An act to amend section eighteen of chapter thirty-one of the General Statutes relating to the jurisdiction of justices of the peace, 130, 193, 200, 377.
106. An act in amendment of and in addition to an act approved November 28, 1878, entitled "An act in amendment of an act to incorporate the village of St. Albans," approved November 18, 1859, and of the several amendments thereof heretofore enacted, 131, 136, 173, 177, 190.
107. An act relating to State Prison, 134, 143, 146, 201, 217, 244.
108. An act to commute the sentence of Edwin S. Hayden, 134, 142, 280, 322, 518.
109. An act for the distribution of the grammar school fund of Orleans County, 138.
110. An act in amendment of section one of number seventy-seven of the laws of 1872, entitled "An act to provide for the payment of ordinary county expenses," 138, 150, 156, 163, 224, 230, 257.
111. An act to amend section twelve of an act concerning dogs and for the protection of sheep and other domestic animals, approved November 22, 1876, 140, 365.
112. An act providing for the laying out of public parks or squares on petition of freeholders, 142, 162, 165, 213, 247, 250.
113. An act in amendment of and in addition to section one of number twenty-four, entitled "An act relating to railroad bridges," approved November 26, 1872, 142, 219, 234, 353, 357, 381.
114. An act relating to the distribution of school moneys, 142, 364, 369, 401, 408.
115. An act reducing the fees of county clerks, 148, 318. 359, 369, 396, 397, 407.

116. An act to incorporate the Freewill Baptist Society of the town of Sutton, 149, 167, 172, 267, 268, 311.
117. An act to establish the Vermont Board of Agriculture, 149, 221, 227, 229, 236, 247, 251, 301, 374, 377, 386.
118. An act to change the name of the Bickford Knitting Machine Manufacturing Company, 149, 163, 189, 217, 244.
119. An act to repeal section one, two and six of number fifty-six of the acts of 1876, entitled "An act for the further protection of fish and game, 149, 261, 374.
120. An act to promote the construction of a bridge from Alburgh to Isle La Motte, 149, 293, 301, 306, 322, 331, 382, 387, 394.
121. An act to pay Thomas Sargent, Jr., the sum therein named, 149, 233, 267, 268, 271.
122. An act to protect the owners of land adjoining certain streams, 153, 168, 179, 182, 184.
123. An act in addition to an act to incorporate the Rutland & Woodstock Railroad Company, approved November 3, 1865, 153, 208, 250, 258, 271.
124. An act in relation to the attachment and sale of mortgaged personal property, 153, 197, 200, 265, 269, 276, 278, 282, 322.
125. An act to amend section sixty-nine of chapter twenty-eight of the General Statutes, 155, 284.
126. An act in relation to the State printing, 155, 170, 172, 275.
127. An act to incorporate the Maquam Bay Pottery Company, 158, 346.
128. An act amending an act in amendment of chapter eight of the General Statutes, 158, 166, 168, 173, 228, 236, 241, 244, 301, 309, 328.
129. An act laying a tax on the County of Bennington, 158, 261.
130. An act to incorporate the Franklin County Milling and Flouring Company, 158, 309.
131. An act amending section twenty-six, twenty-seven and twenty-eight of chapter one hundred and twenty-three of the General Statutes, entitled "Of the State Prison," 158, 327, 331, 392, 396, 407.
132. An act to incorporate the city of Rutland, 158, 403.
133. An act to prevent the pollution of the water of East Creek and its tributaries, 158.
134. An act in addition to an act compelling persons found intoxicated to disclose, 158, 206, 218.
135. An act increasing the penalty of illegal sales of intoxicating liquor in certain cases, 158, 207.
136. An act for the erection of a jail for the County of Chittenden and laying a tax on said county, 164, 246.
137. An act in relation to limitation of actions, 164, 205, 235.
138. An act in relation to the duties of justices of the peace in certain cases, 164, 177, 178, 257, 308.
139. An act to provide for an appointment of a chaplain for the House of Correction and the payment for transportation of discharged convicts to their homes, 164, 277, 319, 331, 388, 391, 395.

140. An act in amendment of section one of chapter twenty four of the General Statutes, 169, 286.
141. An act relating to commitments, 169, 300, 383, 396, 407.
142. An act in relation to remedies supplementary to execution, 169, 308, 314, 362.
143. An act in relation to the militia, 175, 226.
144. An act to repeal section four of an act providing for assignment of counsel to defend respondents, 175, 403.
145. An act in relation to the judges of the supreme court, 175, 193.
146. An act in amendment of act number sixty of the laws of 1878, entitled "An act in relation to the supervisors of the insane and the discharge of patients from insane asylums," 175, 182, 184, 186, 213, 216, 275.
147. An act relating to recognizances in criminal prosecution, 177, 203, 205, 246, 258, 271.
148. An act in addition to number thirteen of the acts of 1870, 179, 364, 369, 401, 408.
149. An act relating to process in divorce cases, 183, 242, 261, 382, 387, 394.
150. An act to incorporate the Brattleboro & Vernon Railroad Company, 183, 346, 354.
151. An act relating to the grand list of school districts, 183, 245, 257, 387, 388, 394.
152. An act to authorize the building of a water spout or sluice in the valley of Brewster River, in the town of Cambridge, 183, 229, 233, 403.
153. An act to incorporate the New England Fire Insurance Company, 183, 307, 353, 377, 384, 387, 394.
154. An act relating to the election of the judges of the supreme court, 183, 206, 218, 261.
155. An act relating to the support of paupers, 183, 256, 360.
156. An act to compel the selectmen of towns to keep the margin of highways free from bushes, 188, 326.
157. An act to pay Alvaro Adsit the sum therein named, 183, 342.
158. An act relating to executions in case of judgments and in case of subsequent attaching creditors, 183, 230, 237, 265, 268, 286.
159. An act relating to intoxication, 184, 230, 237, 275, 281, 282, 322.
160. An act relating to the filling of vacancies in office, 185, 195, 208, 275, 286, 292.
161. An act to regulate elections, 185, 256, 273, 282, 383.
162. An act relating to the election of State officers, 185, 206, 218, 262.
163. An act in relation to the taxation of railroads, 187, 317, 345, 392, 394, 396.
164. An act relating to the collection of taxes, 187, 315, 331, 374, 377, 386.
165. An act providing for the printing of a catalogue of the principal officers connected with the political history of the State, 187, 219, 260, 320, 377.

166. An act in relation to the report of receiver of insolvent savings banks and trust companies, 187, 204, 205, 383, 387, 394.
167. An act in relation to injunctions restraining the collection of taxes, 187, 231, 237, 275, 286, 292.
168. An act to amend section twenty-nine of chapter eighty-three of the General Statutes, 187, 286, 292, 310, 325.
169. An act to protect the owners of lands adjoining streams and to prevent the pollution of water, 187, 204, 212, 225.
170. An act relating to the powers and authority of assistant judges of the county court, 187, 231, 237, 388, 391, 394.
171. An act to prescribe the number of selectmen in towns of over six thousand inhabitants and giving them power to appoint and remove highway surveyors and overseers of the poor, 187.
172. An act to repeal certain portions of chapter seventy five of the General Statutes, 187, 237, 265, 268, 286.
173. An act to reduce State expenses, 188, 277, 282, 392.
174. An act in relation to winter roads, 188, 203, 205, 275, 281, 282, 321.
175. An act providing for the safe keeping of prisoners charged with crime, 197, 206, 218, 275, 286, 292.
176. An act to prevent the improper interference with jurors in the trial of causes in the county court, 197, 233.
177. An act providing for licensing stallions, 197, 241.
178. An act to incorporate the Ely Copper Company, 197, 256, 258, 321, 325, 346, 348.
179. An act to amend the charter of the village of Rutland, 197, 373, 374, 399, 400, 407.
180. An act in amendment of an act entitled "An act in amendment of sections fourteen, fifteen, sixteen and seventeen of chapter twenty of the General Statutes, entitled 'Of support and removal of and relief of the insane poor,'" approved November 26, 1878, 197, 231, 237, 382, 392, 395.
181. An act in relation to persons confined in prison and under sentence of death, 197, 278, 282, 382, 392, 395.
182. An act in amendment of section fifty two in chapter one hundred and fourteen of the General Statutes, 197, 231, 261, 351.
183. An act to incorporate the Masonic Relief Association of Vermont, 197, 355, 399, 400, 408.
184. An act to incorporate the Pike Hill Copper Company, 197, 257, 321, 325, 346, 348.
185. An act to diminish State expenses, 199, 332.
186. An act in relation to filling vacancies in the offices of chief judges and assistant judges of the supreme court, 199, 326, 346, 363.
187. An act in amendment of an act approved November 18, 1866, entitled "An act relating to criminal prosecution," 199, 309.
188. An act to amend an act approved November 26, 1878, in relation to game birds, 199.
189. An act to repeal section six of act number one hundred and one of the laws of 1876, 199, 231, 237, 368.
190. An act to repeal sections one, two and three of an act estab-

lishing a State Superintendent of Agricultural Affairs, approved November 26, 1878, 199.
191. An act in relation to printing the Journals of the General Assembly, 199, 212, 218, 275, 283, 321.
192. An act in relation to unexpended balances of appropriations, 199, 212, 213, 218, 275, 283, 321.
193. An act establishing the salaries of certain State officers, 203, 208, 214, 228, 242, 258, 383, 385, 407.
194. An act to equalize taxation, 218, 237, 271, 287, 289, 290, 295, 357, 396.
195. An act to improve the breeding of horses, 241, 260, 299, 362.
196. An act extending the time for the completion of the Montpelier and White River Railroad, and for other purposes, 233, 263, 298, 324, 348.
197. An act relating to the Vermont reform school and children ordered to be confined therein, 234, 244, 251, 254, 283, 286, 292, 333, 343, 384, 398, 401.
198. An act to protect confidential communications to physicians and surgeons, 241, 263, 307.
199. An act in relation to fines and costs in certain cases, 260, 261, 279, 282, 362.
200. An act providing for the attachment of mortgaged personal property, 264, 266, 278, 282, 382, 387, 394.
201. An act providing for building additions to the State House, 303, 319, 328.
202. An act relating to scholarships, 281, 295, 320.
203. An act in amendment to section one, chapter forty-eight of the General Statutes, 283, 307, 313, 376.
204. An act providing for the attachment and levy of execution on mortgaged real estate in certain cases, 293, 305, 314, 362.
205. An act relating to the canvassing of votes for election of President and Vice-President, 295, 307, 313, 387, 394.
206. An act to amend section thirty-four of chapter thirty-six of the General Statutes, 295, 314, 393, 404.
207. An act providing for the issue of a writ of possession in certain cases, 303, 314, 331, 392.
208. An act relating to the payment of civil damages by venders of intoxicating liquor, 306, 315, 320, 399, 400, 408.
209. An act relating to the State Library, 313, 328, 333, 399, 400, 407.
210. An act in relation to highway surveyors in towns of over six thousand inhabitants, 315, 328, 360, 388, 391, 394.
211. An act in relation to town meetings in towns of over six thousand inhabitants, 315, 329 391, 392, 395.
212. An act relating to the compensation of certain officers, 314, 329, 368, 372, 374, 381.
213. An act to incorporate the Freewill Baptist Society of the town of Sutton, 318, 367, 368, 381.
214. An act relating to vacancies in the office of Assistant Judges of the County Court, 319, 328, 360 399, 400, 407.
215. An act granting the privilege of labor to Edwin C. Hayden un-

til an application for a new trial is disposed of, 328, 367, 368, 381.
216. An act to amend an act approved November 1, 1878, providing for the hearing of applications for pardons, 341, 362, 369, 401, 404, 408.
217. An act to remove obstructions from the Lamoille river in Hardwick, Wolcott and Morristown, 342, 362, 377.
218. An act to prevent the adulteration of fertilizers and the sale of adulterated fertilizers, 343, 361.
219. An act to incorporate the Brattleboro and Vernon Railroad Company, 346, 353, 355.
220. An act to divide the State into Congressional Districts, 367, 371, 391, 397, 399, 408.
221. An act authorizing the erection of a State asylum for the insane, 363, 383.
222. An act to continue certain statutes in force, 366, 368, 374, 378, 386.
223. An act relating to divorce, 372, 389, 404.
224. An act prescribing the duty of grand jurors in certain cases, 375.
225. An act to pay L. F. Thurber the sum therein named, 386, 399, 400, 408.

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1. An act to pay Myron D. Hayward the sum therein named, 159, 163, 165.
2. An act relating to the duties of the State's Attorney, 43, 61, 65, 82, 88, 91, 97, 127, 148, 230.
3. An act to establish the Municipal Court in and for the village of Bennington in the town and county of Bennington, 103, 104, 130, 162.
7. An act laying a tax on the County of Caledonia, 150, 153.
11. An act entitled "An act to pay Thomas Sargent, the sum therein named," 77, 79, 83.
12. An act laying a tax on the County of Windsor, 76, 100, 105, 115, 124.
16. An act to amend an act entitled "An act relating to court expenses and to criminal prosecutions," approved November 27, 1878, 49, 50, 61, 68, 70.
17. An act simplifying indictments for murder and manslaughter, 49, 50, 63, 68.
20. An act to pay Nathan M. Johnson the sum therein named, 76, 81.
21. An act to amend an act to amend section fifty-seven of chapter one hundred and thirteen of the General Statutes, 369, 378, 379.
23. An act to amend section one of an act entitled "An act providing for the mortgage of personal property," 49, 50, 63, 67.

24. An act to enable the town of Castleton to issue its bonds for the purpose of funding its indebtedness, 46, 56, 60.
28. An act relating to grand and petit jurors, 80, 81, 91, 97, 99, 102, 162, 165.
32. An act for the relief of policy-holders in life insurance companies, 122, 123, 167, 179, 217.
37. An act to amend an act incorporating the Bennington Battle Monument Association, approved November 25, 1876, 62, 66.
45. An act to pay McKinster Eddy the sum therein named, 205, 206, 231, 257.
46. An act relating to the jurisdiction of the city court of the city of Burlington, 32, 53, 60, 62.
48. An act to legalize the grand list of the town of Plymouth for the year 1879, 72, 73, 79, 96, 102, 109, 124.
49. An act to legalize the grand lists of the town of Newfane for the years 1877, 1878, 1879 and 1880, 72, 73, 79, 96, 111, 124.
54. An act to pay Edwin Holton the sum therein named, 93, 94, 96, 115.
57. An act to amend an act entitled "An act relating to the compensation of town superintendents," 189, 191, 255, 263, 283, 324.
59. An act to incorporate the Dorset Marble Company, 77, 79, 111, 123, 138, 178.
63. An act to legalize the grand list of the town of Bolton for the years 1878, 1879, 1880, 72, 73, 102, 117, 124, 162.
64. An act relating to highways and bridges and liabilities of towns as to damages, 166, 169, 256, 272, 282, 304, 310, 329, 334, 388.
65. An act to change the names of Emma Jane Caswell and Nelson Austin Caswell to Emma Jane Walker and Nelson Austin Walker, and constituting them heirs at law of Amasa Walker, 93, 94, 307.
66. An act to repeal certain acts relating to the construction of Sand Bar Bridge, 67, 69, 73, 81, 96, 135, 147.
70. An act authorizing towns, educational societies, and cemetery associations to receive donations for the care of cemeteries and burial lots, 201, 202, 310, 314, 326, 357, 382.
74. An act to repeal chapter seventy-five of the General Statutes, entitled "Of inspection of provisions and manufactures," 76, 82, 94, 113, 136.
75. An act to establish a State board of health and vital statistics, 395, 396.
76. An act in relation to mortgages of personal property, 62, 75, 83, 90.
77. An act for the disposition of the grammar school funds in the town of Brighton, 232, 235, 340, 382.
81. An act to legalize the grand list of the town of Mount Holly for the years 1879 and 1880, 72, 73, 110, 117, 124.
83. An act to legalize the grand list of the town of Sharon for the years 1878 and 1879, 159, 162, 188, 247.

84. An act to pay Joseph W. Leighton the sum therein named, 150, 165.
87. An act to pay Robbins & Marsh the sum therein named, 103, 104, 111, 124.
89. An act providing for the State Military History, 109, 110, 115, 119, 141.
91. An act to legalize the grand list of the town of Sheldon for the years 1879 and 1880, 210, 211, 293.
92. An act in amendment of an act providing for the better preservation of the laws of the state," approved November 15, 1872, 77, 79, 121, 125, 150.
93. An act directing the payment to Thomas Butler of the sum therein named, 212, 214, 221, 247.
95. An act to amend section twenty-five of chapter twenty-two of the General Statutes, 90, 91, 131, 137, 178.
97. An act in addition to an act passed November 3, 1849, entitled "An act to incorporate the village of Bennington," 73, 74, 109, 124.
99. An act to repeal "An act to regulate the practice of medicine and surgery in the State of Vermont," 265, 266.
104. An act relating to State printing and stationery, 109, 110, 143, 148, 155, 188, 194, 222, 251, 328, 382.
105. An act to pay Alonzo F. Sprague the sum therein named, 147, 148, 159.
108. An act to incorporate the Brandon Sewer Association, 147, 148, 162, 217.
109. An act abolishing counsel fees in certain cases, 90, 91, 160, 169, 172, 174, 175, 300, 392, 397.
110. An act to incorporate the Marble Savings and Trust Company of Rutland, 173, 184, 365, 383 388.
111. An act abolishing court auditors and requiring their duties to be performed by the State Auditor, 122, 123, 175, 247.
112. An act in amendment of section forty-nine of chapter thirty-one of the General Statutes, 93, 94, 101, 105, 115, 163, 165, 170, 188, 191, 192, 217.
114. An act to pay the Rutland County National Bank the sum therein named, 250, 260, 320, 333, 342, 348, 392.
115. An act requiring justices to keep accounts and make certain returns, 159, 163, 263, 267, 268, 329.
117. An act relating to the adjournment of freemen's meeting, 377, 378, 387, 397.
119. An act compelling certain railroad companies to keep a flagman at the Barber crossing in the town of Pownal, 205, 206, 224, 226, 257.
120. An act to legalize the grand list of the town of Barnet for the years 1875, 1876 and 1877, 109, 110, 119, 124, 162.
121. An act entitled "An act to pay George H. Keniston the sum therein named," 401, 404, 405, 409.
122. An act to amend number one of the acts of 1876, entitled "An act to establish courts of insolvency, and provide for the

equal distribution of the effects of insolvent debtors," 274, 280, 307, 314, 379, 397.
124. An act to lay a tax on the County of Washington, 103, 104, 110, 124.
125. An act to prevent deception in sales of butter, 126, 166, 174, 217.
127. An act to pay William H. Preston the sum therein named, 103, 104, 141.
128. An act relating to adoptions and changes of names, 141, 165, 172, 189, 275.
129. An act to authorize the town of Rutland to refund its outstanding notes or bonds, 93, 94, 100.
130. An act authorizing the towns therein mentioned to fund their present indebtedness, 93, 94, 99, 100, 105, 123.
131. An act laying a tax on the County of Lamoille, 86, 88, 95, 115.
133. An act to legalize the grand list of Brattleboro for the years, 1879 and 1880, 147, 148, 159, 165.
136. An act relating to taxable fees of authorized persons, 173, 184, 193, 195, 223, 226, 247, 275.
138. An act to protect fish in Lilly Pond in Athens, 265, 266, 308.
141. An act relating to the service of extents, 93, 94, 102, 105, 123.
142. An act relating to the election of assessors in the city of Burlington, 348, 351, 378.
147. An act regulating the construction of railroads, 357, 359, 365, 391, 400.
150. An act giving women a right to vote and hold office in school districts, 189, 191, 252.
151. An act to amend an act incorporating the village of Winooski, 141, 340, 381.
152 An act declaring women to be eligible to the offices of town clerk and town superintendent, 147, 148, 156, 165, 179, 252.
155. An act laying a tax on the County of Orange, 105, 110, 121, 141.
156. An act in addition to chapter seventy-two of the General Statutes, entitled "Of guardians and wards," 178, 184, 194, 200, 210, 252, 348.
157. An act to pay Edwin Allen the sum therein named, 130, 137, 178.
162. An act legalizing the quadrennial appraisal of real estate for the year 1875, and the grand lists of the town of Cabot, 147, 148, 170, 189, 247.
167. An act to create the Bennington Battle Monument fund, and to amend section one of "An act to incorporate the Bennington Battle Monument Association," approved November 28, 1876, 109, 110, 115, 119, 122, 147.
172. An act to amend section eight of chapter one of the General Statutes, 119, 120, 139, 146, 178.
173. An act in addition to chapter one hundred and twenty-one of the General Statutes, 173, 184, 195, 200, 227, 252.
175. An act to encourage manufactures, 138, 156, 165.

176. An act to change the names of Katie A. Barnard and William W. Barnard, 109, 110, 193, 233, 234, 235, 298, 341.
177. An act to legalize the grand list for the town of Stowe for the year 1880, 189, 192, 231, 257.
178. An act to legalize the grand list of the town of Chittenden for the year 1880, 147, 148, 169, 217.
181. An act to amend an act to incorporate the Evergreen Cemetery Association, 147, 148, 340, 382.
182. An act to incorporate the Woodstock Aqueduct Company, 147, 148, 208, 285.
185. An act to amend section one of chapter thirty of the General Statutes, entitled "Of the supreme and county court," 155, 157, 164, 174.
186. An act relating to married women and suits by and against them, 126, 156, 165, 189, 217.
187. An act to annex the town of Salem, in the County of Orleans, to, and make the same a part of Derby, in said county, 159, 162, 231, 258.
189. An act in addition to chapter fifteen of the General Statutes, entitled "Of towns, town meetings and town officers," 119, 120, 136, 137, 178.
190. An act making the records of the Signal Service Department of the United States evidence in court, 189, 191, 231, 237, 258.
193. An act amending section forty-four of chapter twenty-two of the General Statutes, 205, 206, 246, 262, 285.
194. An act in addition to chapter seventy-two of the General Statutes, entitled "Of guardians and wards," 122, 123, 135, 137, 178.
196. An act to legalize the grand list of the town of Mount Tabor for the years 1878, 1879 and 1880, 147, 148, 175, 189, 217.
197. An act relating to the compensation of superintendents of schools, 159, 163, 224, 227.
208. An act laying a tax on the grand list of the real estate of the town of Averill, in the County of Essex, 207, 209, 280, 282, 324.
211. An act relating to highway surveyors, 159, 163, 185, 193, 204, 210, 275.
215. An act to pay the brother and sister of Henry Wells, alias Welch, of State pay now due said Wells, alias Welch, from the treasury, 246, 249, 273, 324.
217. An act to legalize the grand list of the town of Woodbury for the years 1878, 1879 and 1880, 189, 192, 231, 257.
223. An act to enable the pew owners and proprietors of the Union meeting house in East Montpelier to dispose of the same, 234, 235, 309.
226. An act compelling county treasurers to make and county judges to publish annual statements of the county finances, 147, 148, 224, 228, 229, 262, 264, 368, 388.
228. An act to amend section thirty of chapter one hundred and thirteen of the General Statutes, 220, 285, 292, 324.

230. An act to allow persons charged with crime the right to procure means to employ counsel, 292.
232. An act in addition to an act to incorporate the Woodstock Railroad, 206, 221, 275.
234. An act in amendment of and in addition to an act entitled "An act to incorporate the village of Brattleboro, approved October 29, 1872, 138, 168, 192, 193, 195, 217.
235. An act in addition to chapter eighty-eight of the General Statutes, relating to magnetic telegraph companies, 212, 214, 340, 363, 389.
238. An act laying a tax on the County of Chittenden, 205, 206, 246, 262, 285.
239. An act exempting certain property from taxation, 159, 162, 232, 241, 393, 407.
240. An act to change the name of Maud P. Lamphire and constitute her heir-at-law of Julius D. Brigham and Mary J. Brigham, 159, 162, 297, 348.
241. An act to change the name of Robert S. Royce to Robert S. Brewer, 159, 162, 297, 348.
243. An act to incorporate the trustees of the Diocese of Vermont, 147, 148, 163, 165.
253. An act laying a tax on the county of Franklin, 274, 280, 284, 324.
254. An act relating to the village of West Randolph, 147, 148, 168, 217.
255. An act to legalize the grand list of the town of Sandgate for the years 1878, 1879 and 1880, 189, 192, 297.
256. An act to amend section twenty-five of chapter thirty-three of the General Statutes, 401, 404, 405, 409.
257. An act to legalize the grand list of the town of Pomfret, 189, 192, 225, 324.
258. An act providing for commissioners of trusts, and defining their duties, 207, 209, 284.
261. An act providing for the erection of wire fences to prevent obstructions of highways by snow drifts, 363, 378, 387, 393, 407.
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